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No. 11] NEW DELHI, SATURDAY, MARCH 15, 1975/PHALGUNA 24, 1896

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किए गए साधारण आदेश, और अधिसूचनाएं)

Statutory orders and notification issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 18 फरवरी, 1975

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 18th February, 1975

क्र० आ० 800.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए असम विधान सभा के लिये साधारण निर्वाचन के लिये 42-अभयापुरी (अ० जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री इन्द्रा मोहन, ग्राम जापेआ मैनापारा, पो० नरारभीय जिला गोलपाहा (असम) लोकप्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में अमफल रहे है ;

और, यतः, उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात्, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री इन्द्रा मोहन को मरद के तथो भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निहित घोषित करता है ।

S.O. 800.—Whereas the Election Commission is satisfied that Shri Indra Mohan of village Japea Mainapara P.O. Nararbhita Distt. Goalpara (Assam) a contesting candidate for general election to the Assam Legislative Assembly held in March, 1972 from 42-Abhayapuri (SC) constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Indra Mohan to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[सं० असम/वि० सं०/42/72]

[No. AS-LA/42/72]

आवेश

नई दिल्ली, 26 फरवरी, 1975

का० प्रा० 801.—यत्, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए बिहार विधान सभा के लिये साधारण निर्वाचन के लिये 197-एकंगरसराय निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री अयोध्या चौहान, ग्राम पो० हर्गाबा, पटना लोक प्रतिनिधित्व अधिनियम, 1951 तथा संबंधित बनाए गये नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यत्, उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात्, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री अयोध्या चौहान को संसद के किसी के भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है।

[सं० बिहार-वि० म०/197/72 (169)]

ए० एन० सैन, सचिव

ORDER

New Delhi, the 26th February, 1975

S.O. 801.—Whereas the Election Commission is satisfied that Shri Ayodhya Chouhan, Village & P.O. Hargawan, Patna who was a contesting candidate for election to the Bihar Legislative Assembly from 197-Ekangarsarai constituency held in March, 1972 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas, after considering the representation made by the said candidate, the Election Commission is satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ayodhya Chouhan to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/197/72(169)]

A. N. SEN, Secy

नई दिल्ली, 1 मार्च, 1975

का० प्रा० 802.—लोक प्रतिनिधित्व अधिनियम, 1950 की धारा 13 क का की उपधारा (1) में अंतर्विष्ट उपबन्धों के अनुसरण में और अपनी अधिसूचना सं० 508/मद्रास/66, तारीख 29 दिसम्बर, 1966 को अधिकांश करने हुए निर्वाचन आयोग, तमिल नाडु सरकार के परामर्श से:—

(क) तमिलनाडु राज्य में मद्रास शहर से भिन्न प्रत्येक जिले में के कलकटर को उसके अपने जिले के लिये जिला निर्वाचन आफिसर के रूप में, और

(ख) मद्रास निगम के आयुक्त को मद्रास शहर के लिये जिला निर्वाचन आफिसर के रूप में एतद्वारा पदाभिहित करता है।

[सं० 508/त० ना०/75]

वी० नागसुब्रमण्यन, सचिव

New Delhi, the 1st March, 1975

S.O. 802.—In pursuance of the provisions contained in sub-section (i) of section 13AA of the Representation of the People Act, 1950, and in supersession of its notification No. 508/MD/66, dated 29 December, 1966, the Election Commission, in consultation with the Government of Tamil Nadu, hereby designates—

(a) the Collector of each of the Districts in the State of Tamil Nadu other than Madras City as the District Election Officer for his district ; and

(b) the Commissioner of the Corporation of Madras as the District Election Officer for Madras City.

[No. 508/TN/75]

V. NAGASUBRAMANIAN, Secy.

विधि, न्याय और कंपनी कार्य मंत्रालय

(कंपनी कार्य विभाग)

नई दिल्ली 1, 28 फरवरी, 1975

का० प्रा० 803.—एकाधिकार एवं निर्वन्धनकारी व्यापार प्रथा अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा निम्नांकित कंपनियों के कथित अधिनियम के अन्तर्गत पंजीकरण के निरस्तकरणों को अधिसूचित करती है।

1 म० एण्ड्रू यूले एण्ड कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 321/70, दिनांक 26-10-1970)

2 म० आसाम कन्सोलिडेटेड टी एस्टेट्स (इण्डिया) लि० (पंजीकरण प्रमाण पत्र सं० 21/70, दिनांक 20-10-1970)

3 म० हुगली प्रिंटिंग कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 12/70, दिनांक 20-10-1970)

4 म० बंगाल आसाम स्टीयशिप कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 192/70, दिनांक 23-10-1970)

5 म० क्रेन्टफोर्ड हलौवर्क (इण्डिया) लि० (पंजीकरण प्रमाण-पत्र सं० 217/70, दिनांक 23-10-1970)

6 म० चितपुर गोलाबारी कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 64/70, दिनांक 20-10-1970)

7 म० क्लाएप् रो इन्वैस्टमेंट होल्डिंग कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 14/70, दिनांक 20-10-1970)

8 म० कलकत्ता डिस्काउन्ट कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 23/70, दिनांक 20-10-1970)

9 म० राजगढ़ कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 47/70, दिनांक 19-10-1970)

10 मै० मुरकुलानी (आसाम) टी कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 118/70, दिनांक 21-10-1970)

11 मै० दि सीम टी कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 352/70, दिनांक 26-10-1970)

12 मै० हुर्लंगोरी टी कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 185/70, दिनांक 23-10-1970)

13 मै० बास्मलिया टी कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 152/70, दिनांक 22-10-1970)

14 मै० बनारहाट टी कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 155/70, दिनांक 22-10-1970)

15 मै० इण्डिया पेपर पल्प कम्पनी लि० (पंजीकरण प्रमाण-पत्र सं० 101/70, दिनांक 21-10-1970)

16 मै० स्टीम एण्ड माइनिंग (स्विचगियर) लि० (पंजीकरण प्रमाण-पत्र सं० 186/70, दिनांक 23-10-1970)

[संख्या 2/29/74-एम०2]

बेद प्रकाश उप्पल, अवर सचिव,

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 28th February, 1975

S.O. 803.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practice Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of the following undertakings under the said Act:—

1. M/s. Andrew Yule & Co. Ltd.
(certificate of registration No. 321/70 dated 26-10-1970).
2. M/s. Assam Consolidated Tea Estates (India) Ltd.
(certificate of registration No. 21/70 dated 20-10-70).
3. M/s. Hooghly Printing Co. Ltd.
(certificate of registration No. 12/70 dated 20-10-1970).
4. M/s. Bengal Assam Steamship Co. Ltd.
(certificate of registration No. 192/70 dated 23-10-1970).
5. M/s. Brentford Electric (India) Ltd.
(certificate of registration No. 217/70 dated 23-10-1970).
6. M/s. Chitpore Golabari Co. Ltd.
(certificate of registration No. 64/70 dated 20-10-1970).
7. M/s. Clive Row Investment Holding Co. Ltd.
(Certificate of registration No. 14/70 dated 20-10-1970).
8. M/s. Calcutta Discount Co. Ltd.
(certificate of registration No. 23/70 dated 20-10-1970).
9. M/s. Rajgarh Tea Co. Ltd.
(certificate of registration No. 47/70 dated 19-10-1970).
10. M/s. The Murphulani (Assam) Tea Co. Ltd.
(certificate of registration No. 118/70 dated 21-10-1970).

11. M/s. The Mim Tea Co. Ltd.
(certificate of registration No. 352/70 dated 26-10-1970).

12. M/s. Hoolungoorree Tea Co. Ltd.
(certificate of registration No. 185/70 dated 23-10-1970).

13. M/s. Basmatia Tea Co. Ltd.
(certificate of registration No. 152/70 dated 22-10-1970).

14. M/s. Banarhat Tea Co. Ltd.
(certificate of registration No. 155/70 dated 22-10-1970).

15. M/s. India Paper Pulp Co. Ltd.
(certificate of registration No. 101/70 dated 21-10-1970).

16. M/s. Steam & Mining (Switchgear) Ltd.
(certificate of registration No. 186/70 dated 23-10-1970).

[No. 2/29/74-M. II]

V. P. UPPAL, Under Secy.

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 13 जनवरी, 1975

[आयकर]

क्र० प्रा० 804.—सर्वसाधारण की जानकारी के लिये अधिसूचित किया जाता है कि निम्नलिखित संस्था को भारतीय बिक्रिमा अनुसंधान परिषद्, विहित प्राधिकारी द्वारा, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनार्थ केवल अनुसंधान के प्रयोजनों के लिये अनुमोदित किया गया है।

संस्था

गांधीग्राम ग्रामीण स्वास्थ्य और परिवार नियोजन संस्थान मडुराई जिला तामिलनाडु।

यह अधिसूचना 1 अप्रैल, 1974 से प्रभावी है।

[सं० 816 (क्र० सं० 203/65/74) आई टी (ए 2)]

MINISTRY OF FINANCE

(Department of Revenue & Insurance)

New Delhi, the 13th January, 1975

INCOME-TAX

S.O. 804.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 for research purposes only.

INSTITUTION

THE GANDHIGRAM INSTITUTE OF RURAL HEALTH AND FAMILY PLANNING, MADURAI DISTRICT, TAMIL NADU.

This notification takes effect from 1st April, 1974.

[No. 816 F. No. 203/65/74-ITA. II]

क्रा० प्रा० 805.—सर्वसाधारण की जानकारी के लिये अधिसूचित किया जाता है कि निम्नलिखित संस्था को भारतीय चिकित्सा अनुसंधान परिषद् विहित प्राधिकारी, द्वारा आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनार्थ कैबल के अनुसंधान के प्रयोजनों के लिये अनुमोदित किया गया है।

मस्य

महात्मागांधी चिकित्सा विज्ञान संस्थान, वार्धा। यह अधिसूचना 1 अप्रैल, 1974 से प्रभावी है।

[स० 817 (फा० स० 203/1/75—आई टी (ए2))
टी० पी०, ज़ुनज़ुनवाला, उप सचिव

S.O. 805.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 for research purposes only.

INSTITUTION

The Mahatma Gandhi Institute of Medical Sciences,
Wardha.

The notification takes effect from 1st April, 1974.

[No. 817 F. No. 203/1/75-JTA. II]
T. P. JHUNJHUNWALA, Dy. Secy.

नई दिल्ली, 23 जनवरी, 1974

क्रा० प्रा० 806.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री मोहम्मद अक़उल्लाह को जो केन्द्रीय सरकार के राजपत्रित अधिकारी है उक्त अधिनियम के अधीन कर वसूली अधिकारों की गवियों का प्रयोग करने के लिये प्राधिकृत करती है।

2 यह अधिसूचना तुरन्त प्रभावी होगी।

[स० 547 (फा० 404/15/74—आई टी टी सी)]
एम० एन० नम्बियार, अवर सचिव

New Delhi, the 23rd January, 1974

S.O. 806.—In exercise of the powers conferred by sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961, (43 of 1961) the Central Government hereby authorises Shri Mohd. Zakauallah who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with immediate effect.

[No. 547 (F. No. 404/15/74-ITCC)]
M. N. NAMBIAR, Under Secy.

रिजर्व बैंक ऑफ इंडिया

केन्द्रीय कार्यालय

(शिक्षा और व्यय विभाग)

शुद्धि-पत्र

बम्बई, 4 फरवरी, 1975

क्रा० प्रा० 807.—दिनांक 28 दिसम्बर 1974 के भारत के राजपत्र के भाग II खंड 3—उपखंड (ii) में (अंग्रेजी में) प्रकाशित 6 दिसम्बर 1974 को रिजर्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप के विवरण में निम्नलिखित शुद्धि कर ली जाये। पृष्ठ 3700 पर (क) अष्टम और अष्टम (i) राज्य सरकारों को और '(iv) कृषि पुनर्वित्त निगम को' के मामले दर्शाये गये 67,81,59,000 तथा 63,30,00,000 के प्रको को क्रमशः रु० 67,81,49,000 तथा रु० 63,50,00,000 पड़ा जाए।

[जी ई एस सं० 373/4-74/75]

ह० अष्टनीय

कुले मुख्य लेखाकार

RESERVE BANK OF INDIA CENTRAL OFFICE

(Department of Accounts and Expenditure)
Bombay, the 4th February, 1975

CORRIGENDUM

S.O. 807.—In the Statement of Affairs (published in English) of the Reserve Bank of India, Banking Department as on the 6th December 1974 published in Part II, Section 3—Sub-section (ii) of the Gazette of India date 28th December 1974, the following corrigendum may be noted on page 3700, the figures 67,81,59,000 and 63,30,00,000 shown under (a) Loans and Advances against (i) State Government and (iv) Agricultural Refinance Corporation may be read as Rs. 67,81,49,000 and Rs. 63,50,00,000.

[Gel. No. 373/4-74/75]

Sd/-Illegible,

p. Chief Accountant

(बैंकिंग विभाग)

नयी दिल्ली, 26 फरवरी, 1975

क्रा० प्रा० 808.—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सफाई पर एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 9 की बरेली कारपोरेशन (बैंक) लि०, बरेली पर 13 दिसम्बर, 1975 तक उस सीमा तक लागू नहीं होगी जहाँ तक उसका संबंध उक्त बैंक द्वारा धून फरुखाबाद स्थित गृह-सम्पत्ति से है।

[स० 15 (5)-बी प्रो० III/75]

मे० भा० उत्तगोवकर अवर सचिव

(Department of Banking)

S.O. 808.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Bareilly Corporation (Bank) Ltd., Bareilly, till 15th December, 1975 in respect of the house property held by it at Farukhabad.

[No. 15(5)-B.O. III/75]

M. B. USGAONKAR, Under Secy.

(आयकर विभाग)

पूना 8 नवम्बर, 1974

का. घा. 809.—नीचे उन निर्धारितियों की सूची दी गयी है जिन पर 1-4-1973 से 31-3-1974 तक की अवधि के दौरान (1) आय छिपाने और (2) आय विवरणी प्रस्तुत करने या लेखा बहियां प्रस्तुत करने में चूक के कारण अधिरोपित शक्ति रु० 50000/- से कम न हो और जहां तदर्थ दिये गये समय में कोई अपील प्रस्तुत न की गई हो या जहां वित्तीय 1973-74 में अधिरोपित शक्ति के खिलाफ दाखिल की गई अपील अंतिम सिद्ध हुई हो। यह सूची निर्धारितियों की (1) प्राप्ति (हैसियत) (2) शक्ति की राशि और (3) निर्धारण वर्ष जिनके संबंध में चूक हुई हो, भी निर्दिष्ट करती है।

अनुसूची 1

- (1) श्री पुखराज रिखावजी, 399 रविवार पेट पूना
(1) व्यक्ति (2) रु० 6100/- (3) 1968-69
- (2) श्री दिगम्बर विष्णु जोशी प्लाट, नं० 125 साई प्रभा मैन्शन, कशाई सेक्शन अम्बरनाथ।
(1) व्यक्ति (2) रु० 13,180 (3) 1969-70
(1) व्यक्ति (2) रु० 13,753 (3) 1970-71
- (3) श्री अब्दुल रजाक ए० कोकान नासिक
(1) व्यक्ति (2) रु० 35,630 (3) 1959-60
- (4) श्री रामकृष्ण एम० अडके देयलाली कैम्प नासिक
(1) व्यक्ति (2) रु० 24,000/- (3) 1968-69
- (5) मैसर्स स्थापितक ग्रेड डेपो येवला।
भागीदार—(1) श्री चन्दनमल (2) श्री पोषटलाल अमोलकचन्द
अमोलकचन्द
(3) श्री सकरचन्द- (4) श्री जवाहरलाल अमोलकचन्द
अमोलकचन्द
(5) श्री विजयकुमार अमोलकचन्द—
(1) पंजीकृत फर्म (2) रु० 6,000- (3) 1973-74
- (6) श्री मोहनराओ सुखदेव देवरे, उमराणे तलुका—मालेगाव जिला, नासिक।
(1) हिन्दू अविश्व परिवार (2) रु० 5,000- (3) 1973-74

अनुसूची 2

- (1) मैसर्स अडके कांस्ट्रक्शन नं० देवलाली कैम्प, नासिक।
निर्धारण वर्ष 1971-72 के लिए देवलाली कैम्प में रहनेवाले भागीदार—
(1) श्री एम० एम० अडके (2) श्री आर० एम० अडके
(3) श्री बी० एम० अडके (4) श्री अरुण आर० अडके
(5) श्री रमेश आर० अडके (6) श्री अशोक आर० अडके
- निर्धारण वर्ष 1972-73 के लिए देवलाली कैम्प में रहने वाले भागीदार—
(1) श्री० आर० एम० अडके (2) श्री० बी० एम० अडके
(3) श्री० अरुण आर० अडके (4) श्री अशोक आर० अडके
(5) श्री रमेश आर० अडके

- (1) पंजीकृत फर्म (2) 6,886 (3) 1971-72
(1) पंजीकृत फर्म (2) 5,550 (4) 1972-73
(2) श्री दर्शनसिंह नाथसिंह पंचवटी नासिक
(1) व्यक्ति (2) रु० 5195 1966-67

[संख्या पी यू बी यू/एस 287/74-75]

(सी० एन० वैष्णव आयकर आयुक्त, पूना)

Income Tax Department

Poona, 8 November 1974.

S.O. 809--Following are the lists of assesses on whom a penalty of not less than Rs. 5000/- was imposed for (1) for the concealment of income and (ii) for the failure to file the return of income or to produce the books of accounts during the period from 1-4-1973 to 31-3-1974, where no appeal was presented within the time allowed therefor or where the appeal against the penalty imposed has become final during the financial year 1973-74 (i) indicates status (ii) amount of penalty and (iii) Asstt. year relating to which the default occurred.

SCHEDULE I

1. Shri Pukhraj Rikhabji, 399, Raviwar Peth, Poona.
(i) Individual (ii) Rs. 6,100/- (iii) 1968-69
2. Shri Digamabar Vishnu Joshi, Plot No. 125 Sai Prabha Mansion, Kasai Sec. Ambernath.
(i) Individual (ii) Rs. 13,180/- (iii) 1969-70
(i) Individual (ii) Rs. 13,753/- (iii) 1970-71
3. Shri Abdul Ratak A. Kokani, Nasik
(i) Individual (ii) Rs. 35,630/- (iii) 1959-60
4. Shri Ramkrishna M. Adke, Deolali Camp, Nasik
(i) Individual (ii) Rs. 24,000/- (iii) 1968-69
5. M/s Swastik Pend Depot, Yeola, Partners: (k) Shri Chandanmal Amolakchand (2) Shri Popatlal Amolakchand
(3) Shri Sakarchand Amolakchand (4) Shri Jawaharlal Amolakchand (5) Shri Vijaykumar Amolakchand
(i) Regd. firm (ii) Rs. 6,000/- (iii) 1973-74
6. Shri Mohanrao Sukhdeo Deore, Umrane, Tal. Malegaon, Distt. Nasik.
(i) H.U.F. (ii) Rs. 5,000/- (iii) 1973-74

SCHEDULE II

1. M/s Adke Construction Co. Deolali Camp. Nasik partners residing at Deolali Camp for asstt. year 1971-72
(1) Shri M.M. Adke (2) Shri R.M. Adake
(3) Shri V.M. Adake (4) Shri Arun R. Adake
(5) Shri Ramesh R. Adake (6) Shri Ashok R. Adake
Partners resident at Deolali Camp for A.Y. 1972-73
(1) Shri R.M. Adake (2) Shri V.M. Adake
(3) Shri Arun R. Adake (4) Shri Ashok R. Adake
(5) Shri Ramesh R. Adake
(i) Regd. firm (ii) Rs. 6,886 (iii) 1971-72
(i) Regd. firm (ii) Rs. 5,550 (iii) 1972-73
2. Shri Darshansing Nathasing, Panchawati, Nasik
(i) Individual (ii) Rs. 5,195 (iii) 1966-67

[PUBU/S 287/74-75]

C.N. VAISHNAV, Commissioner of Income-tax.

केन्द्रीय उत्पाद शुल्क समाहर्तलिय

बम्बई, 17 फरवरी, 1975

का०आ० 810.—इस समाहर्तलिय की दिनांक 2 दिसम्बर 1971 की अधिसूचना संख्या सी० इ० आर/173(4)/71 के साथ नवी केन्द्रीय उत्पाद शुल्क योग्य वस्तुओं की सूची में आगे निम्नलिखित संशोधन आदेशित किये जाते हैं।

क्रम संख्या 25 के बाद निम्नलिखित प्रविष्ट की जाये :—

कालम 1	कालम 2	कालम 3	कालम 4
क्रम संख्या	(टैरिफ मद संख्या)	(विवरण)	(महत्वपूर्ण कच्चे माल का नाम)
26	13	वनस्पति उत्पाद	धातु साधान

[अधि० संख्या केन्द्रीय उत्पाद शुल्क सी० इ० आर/173 जी (7)/1975
का० सं० V (30)29/मिस्ने/74]

ज्योतिमस्य दत्त, समाहर्ता

Bombay Central Excise Collectorate

Bombay, the 17 Feb., 1975

S.O. 810.—The following further amendments are ordered in the list of excisable commodities appended to this Collectorate Notification No. CER/173G(4)/71 dated the 2nd December, 1971.

After Sr. No. 25 insert the following:—

Col. 1	Col. 2	Col. 3	Col. 4
Sr. No.	(T.I. No.)	(Description)	(Name of the Important Raw Material)
26.	13.	Vegetable-Products.	Metal Container ^S

[Notification No. C. Ex.CER 173G(7) 1975F. No.V(30)29/
Mise/74]

J. DATTA, Collector.

वाणिज्य मंत्रालय

(समुक्त मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 26 नवम्बर 1974

का०आ० 811.—मर्सैली पेलिकन ट्रेडर्स, 4155, पहाड़ी धीरज मंदिर बाजार दिल्ली-6 को सामान्य मुद्रा क्षेत्र से वास्तविक उपयोगिता श्रेणी के अन्तर्गत निर्यात के लिए कच्चे मांस के आयात के लिए 24981 रु० का एक आयात लाइसेंस सं०पी०/एम०/1805335 दिनांक 30-3-74 स्वीकृत किया गया था।

2. उन्होंने उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल प्रति बिल्कुल उपयोग किए बिना ही खो गई/प्रस्थानस्थ हो गई है।

3. उक्त व्यापार के समर्थन में आवेदक ने आयात व्यापार नियंत्रण, नियम एवं क्रियाविधि हैडबुक, 1974-75 की कड़िका 320 के अंतर्गत प्रेषित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति खो गई/प्रस्थानस्थ हो गई है।

4. यथा संशोधित आयात नियंत्रण आदेश, 1955 दिनांक 7-12-1955 की धारा 9 (सी०सी०) के अंतर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैं लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति को रद्द करने का आदेश देता हूँ।

5. आवेदक को अब आयात व्यापार नियंत्रण, नियम एवं क्रिया-विधि हैडबुक 1974-75 की कड़िका 320 (4) की व्यवस्था के अनुसार उक्त लाइसेंस की अनुलिपि प्रति (सीमा शुल्क प्रयोजन प्रति) जारी की जा रही है।

[संख्या एन०पी०/पी०/44/ए० एम०/74/ए०यू०यू०टी/सी०एल०ए०/5010]

क० एन० कपूर, उप-मुख्य नियंत्रक

MINISTRY OF COMMERCE

(Office of the Jt. Chief Controller of Imports & Exports)

ORDER

New Delhi, the 26th November, 1974

S.O. 811.—M/s. Pelican Traders, 4455, Pahari Dhiraj, Sadar Bazar, Delhi-6 were granted import licence No. P/S/1805335 dated 30-3-74 for Rs. 24981 from G.C.A. under A.U. Category for import of raw material for Nibs.

2. They have applied for the issue of duplicate Custom purposes copy of the said import licence on the ground that the original copy thereof has been lost/misplaced without having been utilised at all.

3. The applicant has filed affidavit in support of the above statement as required under para 320 of I.T.C. Hand Book of Rules and Procedure, 1974-75. I am satisfied that the original custom copy of the said licence has been lost/misplaced.

4. In exercise of the powers conferred on me under Section 9(cc) of the Import Control Order, 1955 dated 7-12-1955 as amended, I order the cancellation of the said original Custom copy of the licence.

5. The applicant is now being issued duplicate copy (Custom Purposes only) of the aforesaid import licence in accordance with the provision of para 320(4) of the I.T.C. Hand Book of Rules and Procedure, 1974-75.

[F. No. NP/P-44/AM-74/AU.UT/CLA/5010]

K. N. KAPOOR, Dy. Chief. Controller

(मुख्य निर्यातक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली 25 जनवरी 1975

का.प्रा. 812.—अधीक्षण अभियन्ता, यांत्रिक सक्ति, लोक निर्माण विभाग, परियोजनास्कन्ध, श्रीसायलम परियोजना, ईस्ट पोस्ट जिला कर्नूल (आंध्रप्र.) को मलग्न सूची के अनुसार केलियम डायमन्ड कोर ड्रिल के निम्ने फालतू पुर्जों के आयात के लिये 16,705 रु० मूल्य का एक लाइसेंस मख्या. जी/ए/1064140 दिनांक 11-9-73 प्रदान किया गया था। अधीक्षण अभियन्ता, श्रीसायलम ने सूचना दी है कि लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति खो गई है और उसकी अनुलिपि प्रति जारी करने के लिये आवेदन किया है।

अपने तर्क की पुष्टि में आवेदक ने एक शपथपत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति खो गई है और निवेदन देता है कि इसकी अनुलिपि प्रति जारी की जाए।

लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति रद्द कर दी गई है। उसकी अनुलिपि प्रति अलग से जारी की जा रही है।

[सख्या एस जी/107/73-74/पी एन एस/बी/]

एस० के० उस्मानी, उप-मुख्य निर्यातक

(Office of the Chief Controller of Imports and Export)

ORDER

New Delhi, the 25th January, 1975

S.O. 812.—The Superintending Engineer, Mechanical Circle C.P.W.D., Project Wing, Srisaillam Project, East, Post Distt. Kurnool (AP) was granted licence No. G/A/1064140 dated 11-9-73 for Rs. 16,705 for the import of Spares for Cerealius Diamond Core Drill as per list attached. Suptdg. Engineer, Srisaillam has reported that Exchange Control copy of the licence has been lost and they have requested to issue duplicate copy of the same.

In support of their contention the applicant has filed an affidavit. The undersigned is satisfied that the Exchange Control copy of the licence has been lost and directs that the duplicate copy of customs copy of the said licence be issued.

The original F.C. Copy of the licence has been cancelled. A duplicate copy of the same is being issued separately.

[No. SG/107/73-74/PLS/B]

S. K. USMANI, Dy. Chief Controller

आदेश

नई दिल्ली, 1 मार्च, 1975

का.प्रा. 813.—सर्वश्री केमस साइन लेबोरेट्रीज एण्ड स्टुडियो लि० 20 शा०ई० मोजेम रोड, महालक्ष्मी, बम्बई-400011 को सामान्य मुद्रा क्षेत्र से लाइसेंस के लिये सूची के अनुसार फिल्म स्टुडियो एवं लेबोरेट्रीज उपकरणों के आयात के लिये 1,15,000 रुपये के लागत बीमा भाड़ा मूल्य का एक आयात लाइसेंस सं० पी/ए/1378403 दिनांक 26-6-73 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुमति सीमाशुल्क प्रयोजन प्रति जारी करने के लिये इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है। विषयाधीन लाइसेंस बम्बई सीमाशुल्क कार्यालय में पंजीकृत करवाया गया था और धनराशि जिसके लिये उसका उपयोग कर लिया गया है वह 62041 रुपये है।

उपर्युक्त तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि लाइसेंस सं० पी/ए/1378403 दिनांक 26-6-73 की सीमाशुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है और आवेदक को 52,959 रुपये के लिये लाइसेंस की अनुमति सीमाशुल्क प्रयोजन प्रति जारी की जानी चाहिये और लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति रद्द की जाती है।

[फाईल सख्या. 28/स्टुडियो/71-72/एम एन-2/786]

जे० शंकर, उप-मुख्य निर्यातक,
आयात निर्यात

ORDER

New Delhi, the 1st March, 1975

S.O. 813.—M/s. Famous, Cine Laboratories & Studios Limited, 20 Dr. E. Moses Road, Mahalaxmi, Bombay-400011 were granted the import licence No. P/A/1378403 dated 26-6-1973 for import of Film Studio & Laboratory equipments as per list attached for a c.i.f. value of Rs. 1,15,000 from G. C. A. They have now requested that a duplicate Customs purpose copy of the licence may be issued on the ground that the original Customs purpose copy of the licence has been lost/misplaced. The licence in question has been registered with Bombay Customs and total amount utilised is Rs. 62,041.

In support of their abovesaid contention the applicant have submitted an Affidavit. I am satisfied that the original Customs copy of the import licence No. P/A/1378403 dated 26-6-1973 has been lost/misplaced and that a duplicate customs copy of the said licence for Rs. 52,959 may be issued to the applicant and that original customs purpose copy of the licence is cancelled.

[File No. 28/Studio/71-72/MLII/786]

J. SHANKER, Dy Chief Controller

आदेश

नई दिल्ली, 3 मार्च, 1975

का.प्रा. 814.—सर्वश्री ज्योति लि० पी० ओ० केमिकल इन्डस्ट्रीज, बडौदा को लाइसेंस अधिध प्रप्रीय 1972 के लिए कच्चे माल के आयात के लिए 18,600 रुपये (अठारह हजार छह सौ रुपये मात्र) के लिए लाइसेंस संख्या पी/जी/2192556/सी/एक्स/एचम/47/एच/33-34 दिनांक 30-4-73 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि के लिए आवेदन किया है कि वह किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत कराए बिना ही अस्थानस्थ हो गई है और उसका बिल्कुल ही उपयोग नहीं किया गया है। उन्होंने आयात व्यापार नियंत्रण नियमों के अनुसार आवश्यक शपथ पत्र दाखिल किया है।

अधोहस्ताक्षरी फर्म द्वारा शपथ पत्र में विग्न गण, ब्योरो से संतुष्ट है और निवेदन देता है कि पूरे मूल्य 18,600 रुपये के लिए लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि जारी की जाए। लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति को एनडू द्वारा रद्द किया जाता है।

[फाईल सख्या: आटो-जे/1(5)/एएम-71/आरएम-4]

आई०बी० चुनकत, उप-मुख्य निर्यातक आयात-निर्यात

ORDER

New Delhi, the 3rd March, 1975

S.O. 814.—M/s. Jyoti Ltd., P.O. Chemical Industries Baroda were granted an import licence No. P/D/2192556/C/XX/47/H/33-34 dt. 30-4-1973 for Rs. 18,600/- (rupees eighteen thousand and six hundred only) for import of raw material for the licensing period April 71 March 72. They have applied for grant of Duplicate of Customs Purpose Copy of the aforesaid licence as the same has been misplaced without having been registered with any customs authority and unutilised at all. They have furnished necessary affidavit as per I.T.C. Rules.

The undersigned is satisfied with the statement given by the firm in the affidavit and directs that Duplicate of Customs Purpose Copy of the licence for the full value of Rs. 18,600/- may be issued. Original Customs Purposes copy of the licence is hereby cancelled.

[File No. Auto-J/1(5)/AM-71/RM-4]

I. V. CHUNKATH, Dy Chief Controller

कृषि और सिंचाई मंत्रालय

(कृषि विभाग)

नई दिल्ली, 25 फरवरी, 1975

क्रा० प्रा० 815.—केन्द्रीय सरकार पशु-कूरता निवारण अधिनियम, 1960 की धारा 5 की उप-धारा (1) की व्यवस्थाओं के अन्तर्गत लिखित व्यक्तियों को उसके नाम के सामने दी गई तारीख से तीन वर्ष की अवधि के लिए एतद्वारा पशु कल्याण बोर्ड का सदस्य नामित करती है :—

सदस्य	तारीख	श्रेणी
1. डा० जे० डी० जैन	17-2-75	धारा 5(1)(एफ)- श्री दिगम्बर जैन बालबोधिनी मभा, सहारनपुर के प्रतिनिधि।
2. न्यायमूर्ति राम प्रसाद राव	17-2-75	धारा 5(1)(जी)- पशु-कूरता निवारण समिति, मद्रास के प्रतिनिधि।
3. श्री पुरन्दर मलिक	17-2-75	धारा 5(1)- पशु-कूरता निवारण समिति, कलकत्ता के प्रतिनिधि।
4. श्रीमती वीनू जयराम	17-2-75	धारा 5(1)- पशु-कूरता निवारण समिति, बंगलूर के प्रतिनिधि।

[स० 14-27/73-एल० डी०-1]

गुरब्याल मोहन, प्रवर सचिव

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Agriculture)

New Delhi, the 25th February, 1975

S. O. 815.—Under provisions of sub-section (1) of Section 5 of the Prevention of Cruelty to Animals Act, 1960 the Central Government hereby nominates the following persons to be members of the Animal Welfare Board for a period of three years from the dates mentioned against the members:

Members	Date	Category
1. Dr. J.D. Jain.	17-2-75	Section 5 (1) (f) — Representative of the Shri Digamber Jain Ralbodhini Sabha, Saharanpur.
2. Mr. Justice T. Ramprasad Rao.	17-2-75	Section 5 (1), (g) — Representative of the Society for the Prevention of Cruelty to Animals, Madras.
3. Mr. Purandro Mullick.	17-2-75	Section 5 (1) of — Representative of the Society for the Prevention of Cruelty to Animals, Calcutta.
4. Smt. Vinoo Jayaram	17-2-75	Section 5 (1) of — Representative of the Society for the Prevention of Cruelty to Animals, Bangalore.

[No. 14-27/73-L.D.-I]

GURDIALMOHAN, Under Secy.

संचार मंत्रालय

(डाक-तार बोर्ड)

नई दिल्ली, 3 मार्च 1975

क्रा० प्रा० 816.—स्थायी आदेश संख्या... स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड 111 के पैरा (क) के अनुसार डाक-तार सहायक ने परमनी टेलीफोन केन्द्र में दिनांक 16-3-75 में प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-21/75-पी० एच० बी०]

पी० सी० गुप्ता सहायक महानिदेशक (पी० एच० बी०)

MINISTRY OF COMMUNICATIONS

(P & T BOARD)

New Delhi, the 3rd March, 1975

S.O. 816.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-3-1975 as the date on which the Measured Rate System will be introduced in Parbhani Telephone Exchange Maharashtra Circle

[No. 5-21/75-PHB]

P. C. GUPTA, Assistant Director General (PHB)

श्रम मंत्रालय

आदेश

नई दिल्ली, तारीख 6 फरवरी, 1975

का० प्रा० 817—यतः केन्द्रीय सरकार की राय है कि इससे उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेन्ट्रल बैंक आफ इण्डिया से
सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद
विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए
निर्देशित करना वांछनीय समझती है;

अतः अब औद्योगिक विवाद अधिनियम 1947 (1947 का 14)
की धारा 10 उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग
करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क
के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण दिल्ली, को न्याय-
निर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या सेन्ट्रल बैंक आफ इण्डिया के प्रबन्धकाल से मण्डलीय प्रबन्धक पुनः
के कार्यक्षेत्र के अपरासी श्री सुन्दरलाल यादव का नियोजन सहायक श्रम
प्राप्त (केन्द्रीय) भोपाल के समक्ष सुलह-कार्यवाहियों के लम्बित रहने के
बोरोन ही समाप्त कर दिया ?

2. क्या सेन्ट्रल बैंक आफ इण्डिया के प्रबन्धकाल को श्री सुन्दरलाल
यादव, अपरासी की परीक्षा, 21 अक्टूबर, 1972 से समाप्त करने की
कार्रवाई न्यायोचित थी ?

3. कर्मकार किस अनुतोष के लिए यदि कोई हो, हकदार है ?

[सं० एल० 12012/159/73-एल० प्रार०-3 बी० प्रो० 2ए]

MINISTRY OF LABOUR

ORDER

New Delhi, the 6th February, 1975

S.O. 817.—Whereas the Central Government is of opinion
that an industrial dispute exists between the employers in
relation to the Central Bank of India and their workmen
in respect of the matters specified in the Schedule hereto
annexed;

And whereas the Central Government considers it
desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by
clause (d) of sub-section (1) of section 10 of the Indus-
trial Disputes Act, 1947 (14 of 1947), the Central Gov-
ernment hereby refers the said dispute for adjudication to the
Industrial Tribunal, Delhi, constituted under section 7A of
the said Act.

SCHEDULE

1. Whether the management of the Central Bank of India terminated the employment of Shri Sunder Lal Yadav, Peon, Zonal Manager's Office during the pendency of conciliation proceedings before Assistant Labour Commissioner (Central), Bhopal.
2. Whether the action of the management of the Central Bank of India in terminating the probation of Shri Sunderlal Yadav, Peon with effect from the 21st October, 1972 was justified ?
3. To what relief if any, is the workman entitled ?

[No. L. 12012/159/73-LRHH-D. O. IIA]

150GI/74-2

आदेश

नई दिल्ली, 10 फरवरी, 1975

का० प्रा० 818.—यतः केन्द्रीय सरकार की राय है कि इससे उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेन्ट्रल बैंक आफ इण्डिया
के प्रबन्धकाल से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक
औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए
निर्देशित करना वांछनीय समझती है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की
धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त
शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधि-
करण गठित करती है, जिसके पीठासीन अधिकारी श्री उपदेश नारायण
माथुर होंगे जिनका मुख्यालय जैपुर में होगा और उक्त विवाद को उक्त
औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

1. क्या सेन्ट्रल बैंक आफ इण्डिया, आर्य समाज रोड, कोटा के प्रबन्ध-
काल की, सशस्त्र गाड़ों सर्वश्री कोमल सिंह और मंगुसिंह को 25 नवम्बर,
1973 से बैंक की दूसरी चाबियाँ देने की कार्रवाई न्यायोचित थी ?
यदि नहीं तो वे किस अनुतोष के हकदार हैं ?

2. क्या सेन्ट्रल बैंक आफ इण्डिया आर्य समाज रोड, कोटा के सशस्त्र
गाड़ों सर्वश्री कोमल सिंह और मंगुसिंह की 24 दिसम्बर, 1973 से 4
जनवरी, 1974 तक अपने ड्यूटी के घण्टों के अतिरिक्त बैंक के परिसरों
में रुके रहने की कार्रवाई बैंक द्वारा आवश्यक बनाई गई थी ? यदि हाँ
तो वे किस अनुतोष के हकदार हैं ?

[सं० एल० 12012/81/74-एल० प्रार० 3]

ORDER

New Delhi, the 10th February, 1975

S.O. 818.—Whereas the Central Government is of opinion
that an industrial dispute exists between the employers in
relation to the Central Bank of India and their workmen in
respect of the matters specified in the Schedule hereto
annexed;

And, whereas the Central Government considers it desirable
to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by sec-
tion 7A and clause (d) of sub-section (1) of section 10 of
the Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby constitutes an Industrial Tribunal with
Shri Updesh Narain Mathur as Presiding Officer with head-
quarters at Jaipur and refers the said dispute for adjudication
to the said Industrial Tribunal.

SCHEDULE

1. Whether the action of the management of the Central Bank of India, Arya Samaj Road, Kota in issuing duplicate keys of the bank to the Armed Guards Shri Komal Singh and Mangu Singh with effect from the 26th November, 1973 was justified. If not, to what relief are they entitled ?
2. Whether the action of the workmen Sarvashri Komal Singh and Mangu Singh, Armed Guards of the Central Bank of India, Arya Samaj Road, Kota in staying in the Bank premises from 24th December, 1973 to 4th January, 1974 even outside their duty hours, was necessitated by Bank ? If so, to what relief are they entitled ?

[No. L. 12012/81/74-LRHH]

प्रावेश

का० प्रा० 819 —यतः केन्द्रीय सरकार की राय है कि इस से उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में नैशनल एण्ड ग्राइन्डलेय
बैंक लिमिटेड से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्यो-
गिक विवाद विद्यमान है;

और यतः, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए
निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14)
की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का
प्रयोग करते हुए केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा
7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता, को
न्याय निर्णयन के लिए निर्देशित करती है।

अनुसूची

1. क्या नैशनल और ग्राइन्डलेय बैंक लिमिटेड की सम्पत्ति की
देखभाल करने के लिए 17, अलीपुर रोड कलकत्ता, में कार्य करने वाले
कर्मकार (अभिरक्षक, विद्युत्संरक्षी, चर्बान और ब्राह्मकण) उस बैंक से
निम्नलिखित सुविधाओं के लिए हकदार हैं? यदि हैं तो किस विस्तार तक
और किस तारीख से?

- (1) वार्षिक छुट्टी, विशेषाधिकार छुट्टी, चिकित्सा छुट्टी।
- (2) चिकित्सा व्यय।
- (3) बर्षा।
- (4) सेवानिवृत्ति लाभ तथा।
- (5) अवकाश दिन।

2. सम्बन्धित कर्मकारों के कार्य के घण्टे क्या होने चाहिए?

3. क्या सम्बन्धित कर्मकार वर्ष 1973 के लिए बोनस के हकदार हैं?
यदि हाँ, तो किसी दर पर?

4. क्या कर्मचारियों को उपर्युक्त ग्रेड में रखा जाना चाहिए? यदि हाँ
तो ग्रेड का क्या स्तर होना चाहिए?

[सं० एल० 12011/25/74-एल० प्रार० 3]

ORDER

S.O. 819.—Whereas the Central Government is of opinion
that an industrial dispute exists between the employers in
relation to the management of National and Grindlays Bank
Limited and their workmen in respect of the matters specified
in the Schedule hereto annexed;

And whereas the Central Government considers it desirable
to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by
clause (d) of sub-section (1) of section 10 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby refers the said dispute for adjudication to the Indus-
trial Tribunal, Calcutta constituted under section 7A of the
said Act.

SCHEDULE

- I. Whether the workmen (Caretaker, Electrician, Durwan
and Sweeper) working at 17, Alipore Road,
Calcutta-27 for looking after the property of National
and Grindlays Bank Limited are entitled to the
following facilities from that Bank? If so, to what
extent and from what date?

- (1) Annual Leave, privilege leave and medical leave
(2) Medical expenses (3) Uniforms (4) Retirement
Benefits and (5) Holidays.

II. What should be the working hours of the workmen
concerned?

III. Whether the workmen concerned are entitled to bonus
for the year 1973? If so at what rate?

IV. Whether the workmen should be placed in a suit-
able grade? If so, what should be the details of the
Grade?

[No. L. 12011/25/74-LR(III)]

प्रावेश

का० प्रा० 820.-यतः केन्द्रीय सरकार की राय है कि इससे उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में स्टेट बैंक इन्दौर से
सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद
विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए
निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14)
की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का
प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा
7-क के अधीन गठित औद्योगिक अधिकरण जबलपुर को न्यायनिर्णयन के
लिए निर्देशित करती है।

अनुसूची

क्या स्टेट बैंक आफ इन्दौर कर्मचारी संघ इन्दौर की यह मांग कि
स्टेट बैंक आफ इन्दौर की प्रिंस यशवंत रोड शाखा के रोकड़ चपरासी
श्री मोहन गंगाराम को 1 फरवरी, 1972 से 8 अगस्त, 1972 की
अवधि के लिए नकद भत्ता दिया जाना चाहिए, न्यायोचित है? यदि हाँ
तो वह किस अनुतोष का हकदार है?

[सं० एल० 12012/93/74-एल० प्रार० 3-डी० 2-(ए)]

ORDER

S.O. 820.—Whereas the Central Government is of opinion
that an industrial dispute exists between the employers in
relation to the State Bank of Indore and their workmen in
respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable
to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by
clause (d) of sub-section (1) of section 10 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby refers the said dispute for adjudication to the Industrial
Tribunal, Jabalpur, constituted under section 7A of the said
Act.

SCHEDULE

Whether the demand of the State Bank of Indore
Karamchari Sangh, Indore, that Shri Mohan Ganga-
ram, Cash Peon, Prince Yeshwant Road Branch of
the State Bank of Indore should be paid the cash
peon allowance for the period from the 1st Feb-
ruary, 1972 to the 8th August, 1972 is justified?
If so to what relief is he entitled?

[No. L-12012/93/74-LR. III-DII(A)]

प्रारम्भ

का० प्रा० 821.—यतः केन्द्रीय सरकार की राय है कि इससे उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेन्ट्रल बैंक आफ इण्डिया
के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक
विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए
निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14)
की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा
प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधि-
करण गठित करती है, जिसके पीठासीन अधिकारी श्री एच० प्रार० सोदी
होंगे जिनका मुख्यालय जण्डीगढ़ में होगा और उक्त विवाद को उक्त औद्योगिक
अधिकरण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

क्या सेन्ट्रल बैंक आफ इण्डिया के प्रबन्धतन्त्र की इस बैंक की अम्बाला
छावनी शाखा में लिपिक श्री के० पी० सिरपाल को प्रोन्नति पद विशेष
सहायक के पद के लिए अपने विकल्प का प्रयोग करने का हक देने से
इन्कार करने की कार्यवाही विधिक और न्यायोचित है? यदि नहीं तो वह
किस अनुतोष का हकदार है?

[सं० एल० 12012/109/74-एल० प्रार० 3-
बी० 2 (ए)]

ORDER

S.O. 821.—Whereas the Central Government is of opinion
that an industrial dispute exists between the employers in
relation to the Central Bank of India and their workmen in
respect of the matters specified in the Schedule hereto annexed;
And, whereas the Central Government considers it desir-
able to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by
section 7A and clause (d) of sub-section (1) of section 10 of
the Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby constitutes an Industrial Tribunal with
Shri H. R. Sodhi as Presiding Officer with headquarters at
Chandigarh and refers the said dispute for adjudication to the
Industrial Tribunal.

SCHEDULE

"Whether the action of the management of the Central
Bank of India in denying Shri K. P. Sirpal, Clerk
at the Ambala Cantonment Branch of the Bank the
right to exercise his option for the post of Special
Assistant on promotion is legal and justified. If not,
to what relief is the workman entitled?"

[No. L-12012/109/74-LR. III-D. II(A)]

प्रारम्भ

का० प्रा० 822.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध
अनुसूची में विनिर्दिष्ट विषयों के बारे में बैंक आफ मद्राई लिमिटेड के
प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक
विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दे-
शित करना वांछनीय समझती है;

अतः, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14)
की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा
प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधि-
करण गठित करती है, जिसके पीठासीन अधिकारी श्री टी० पालानिप्पन्न

होंगे जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त औद्योगिक
अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या बैंक आफ मद्राई लिमिटेड, मद्राई के प्रबन्धतन्त्र की सर्वोच्च
सी० टी० चेन्नैया, प्रार० महालिंगम, एस० रंगाराजन, पी० टी० अब्राहम,
श्रीमती एम० प्रार० नर्मदा और ए० वी० रमा और कुमारी अरुणा देवी,
टी० कल्याणी और एस० विमलाक्षी सितु लिपिकों की सेवाएं समाप्त
करने की कार्यवाही न्यायोचित है? यदि नहीं तो वे किस अनुतोष के हकदार
हैं?

[सं० एल० 12012/120/74-एल० प्रार० आई० 2)]

ORDER

S.O. 822.—Whereas the Central Government is of opinion
that an industrial dispute exists between the employers in re-
lation to the management of the Bank of Madurai Limited
and their workmen respect of the matter specified in the
Schedule hereto annexed;

And, whereas the Central Government considers it desir-
able to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by
section 7A, and clause (d) of sub-section (1) of section 10,
of the Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby constitutes an Industrial Tribunal of
which Shri T. Palaniappan shall be the Presiding Officer,
with headquarters at Madras and refers the said dispute for
adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of the Bank of
Madurai Limited, Madurai in terminating the ser-
vices of Sarvasiri C. T. Chelliah, R. Mahalingam,
S. Rangarajan, P. T. Abraham, Shrimati M. R.
Narmatha and A. V. Rama and Kumari Aruna
Devi, T. Kalyani and S. Visalakshi apprentice clerks,
is justified? If not, to what relief are they entitled?

[No. L. 12012/120/74-LR III]

प्रारम्भ

नई दिल्ली, 11 फरवरी, 1975

का० प्रा० 823.—यतः केन्द्रीय सरकार की राय है कि इससे उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में पंजाब नेशनल बैंक से सम्बद्ध
नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान
है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए
निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14)
की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा
प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधि-
करण गठित करती है, जिसके पीठासीन अधिकारी श्री एच० प्रार० सीधी
होंगे जिनका मुख्यालय जण्डीगढ़ में होगा और उक्त विवाद को उक्त अधि-
करण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या पंजाब नेशनल बैंक, पश्चिमी हिमालय क्षेत्र, गांधी नगर, जम्मू
के प्रबन्धतन्त्र की, श्री मोहिन्द्र सिंह पारमर की सेवाओं को 9 फरवरी,
1974 से समाप्त करने की कार्यवाही वैध और न्यायोचित थी? यदि नहीं
तो, वह किस अनुतोष का हकदार है?

[सं० एल०-12012/99/74-एल० प्रार० 3]

ORDER

New Delhi, the 11th February, 1975

S.O. 823.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri H. R. Sodbi shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of the Punjab National Bank, West Himalaya Region, Gandhi Nagar, Jammu in terminating the services of Shri Mohinder Singh Parmar, with effect from the 9th February, 1974 was legal and justified? If not, to what relief is he entitled?

[No. L. 12012/99/74-LR.III]

आदेश

नई दिल्ली, 12 फरवरी, 1975

का० आ०. 824—यतः केन्द्रीय सरकार की राय है कि इससे उपा-बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में यूनियन बैंक आफ इण्डिया के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री एस० एच० जे० जगदी होंगे जिनका मुख्यालय कानपुर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या यूनियन बैंक आफ इण्डिया के प्रबन्धतंत्र के लिए श्री बी० आर० त्रिवेदी, प्रधान रोकड़िया, अलीगढ़ शाखा को 18 जून 1974 से सेवा से पदच्युत करना न्यायोचित है? यदि नहीं तो वह किस अनुतोष का हकदार है?

[सं० एल० 12012/125/74-एन० आर० 3]

आर० कुजीथापदम, अवर सचिव।

ORDER

New Delhi, the 12th February, 1975

S.O. 824.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Union Bank of India and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri S. H. J. Nagi shall be the Presiding Officers, with headquarters at Kanpur and refers the dispute for adjudication to the said Tribunal.

SCHEDULE

Is the management of the Union Bank of India justified in dismissing from service with effect from the 18th June, 1974 Shri B. R. Trivedi, Head Cashier, Ali-garh Branch? If not, to what relief is he entitled?

[No. L-12012/125/74-LR.III]

New Delhi, the 28th February, 1975

S.O. 825.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Hyderabad in the industrial dispute between the employers in relation to the State Bank of India, Hyderabad Circle, Hyderabad and their workmen, which was received by the Central Government on the 25th February, 1975.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT

HYDERABAD :

Industrial dispute No. 29 of 1974

BETWEEN

Workmen of State Bank of India, Hyderabad Circle, Hyderabad.

AND

The Management of State Bank of India, Hyderabad Circle,, Hyderabad.

Appearances :

Sri K. Narasimham, Advocate for Workmen.

Sri K. Srinivasa Hurthy, Hony. Secy of Federation of A.P.C.C. & I, for Management.

AWARD

The Government of India in the Ministry of Labour through notification No. L. 12025/40/72/LR.III dt. 15th October, 1974 referred the industrial dispute between the Employers in relation to State Bank of India and its Workmen under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 (which would hereinafter be called the Act) for adjudication by the Tribunal on the following issue :

"Whether the action of the management of State Bank of India, Hyderabad Circle, Hyderabad in dismissing Shri K. Ramakrishna Reddy, Clerk, Cuddapah Branch from service with effect from the 9th January, 1967 is justified: If not, to what relief is he entitled?"

2. The reference was registered as Industrial Dispute No. 29 of 1974 and notices were directed to the Workmen and to the Management. On behalf of the workman concerned in the dispute, the President of the State Bank of India Staff Union, Andhra Pradesh filed a claims statement. It is inter alia alleged therein that the workman, Ramakrishna Reddy was recruited by the State Bank of India, Hyderabad Circle and posted at Cuddapah as a Clerk on probation. In view of his performance, character and conduct he was sent to worker teacher training course for undergoing training at Nellore on behalf of the Bank. The appointment order dated 15-7-1966 is said to have been issued by the Agent of Cuddapah Branch of State Bank of India. The workman was appointed on a basic pay of

Rs. 120 with Dearness Allowance of Rs. 72 per month at the time of his appointment. After he worked for about six months he was served with a letter dated 9-1-1967 signed by the Agent and sent by registered post, to the effect that the Bank has decided to dismiss the workman from the services with immediate effect. In the letter it is also alleged that it was brought to the notice of the Bank that in the year 1964 the workman was convicted of an offence under Section 353 of the Penal Code by a Criminal Court of Cuddapah and therefore having regard to the provisions of Sections 10(1)(b)(1) of the Banking Regulation Act 1949, it was not considered desirable to retain him in the service of the Bank. Thus as per this letter the workman was dismissed from service with effect from 9-1-1967. The said order is contended to be illegal, invalid and inoperative. It is alleged that the workman was not convicted of an offence involving moral turpitude and therefore he cannot be dismissed under Section 10(1)(b)(1) of the Banking Regulations Act. The further allegation is that the Criminal Court while releasing the Accused under Section 562(1-A) of Cr. P.C. held that the Accused had already been dealt with suitably by the Principal of the College and any further punishment would spoil the future of the Accused. In view of this finding it is contended that there is no justification for the Bank to dismiss the workman on the ground of his conviction especially when the conviction under Section 353 I.P.C. (for the offence of assault) cannot be said to involve moral turpitude. The order of dismissal is also said to be invalid for the reason that no reasonable opportunity was given to the workman to explain the circumstances and also for the reason that the procedure prescribed for dismissal has not been followed. The order of dismissal is said to have violated the principles of natural justice. The rule of reasonable opportunity is said to be available even to a probationer and that any arbitrary dismissal without affording reasonable opportunity is said to be bad in law. It is reiterated that the conviction of the workman by the Criminal Court is not for any misconduct or offence relating to the period of and during the course of his employment. The conviction is said not to involve any moral turpitude and the said conviction was long prior to the entry of the workman in the service of the Respondent and therefore the said conviction cannot be a ground for the dismissal of the workman. It is also contended that the order of dismissal is in contravention of the provisions contained in the Shastry Award, as any punishment whether it be under Section 10(1)(b)(1) of the Banking Regulation Act or otherwise must be in conformity with the procedure prescribed under the Shastry Award. It is also alleged that in view of the dismissal from 9-1-1967, the workman is out of employment and he is put to much hardship and suffering. There are no circumstances warranting the imposition of the extreme penalty of dismissal from service. He thus prayed for reinstatement with full back wages.

3. In the counter the Respondent—Management averred that the workman was appointed as a Clerk on probation for a period of six months, with effect from 15-7-1966 and that the probation period was due to end on 15-1-1967. According to the terms of appointment, it is contended, that the Bank can at any time during the probationary period terminate his services without assigning any reason whatsoever with due notice or salary in lieu thereof. Invoking this clause in the appointment order, the Management is said to have terminated the services as his conduct is found to be unsatisfactory. At the time of appointment the Petitioner is said to have signed a declaration of fidelity and a secrecy form wherein he declared inter alia that he was not an undischarged bankrupt and was not convicted by a Criminal Court of an offence involving moral turpitude. But during the probationary period the Management came to know that the petitioner was charged under Sections 353, 379 and 341 I.P.C. in C.C. No. 201/64 on the file of the Judicial IInd Class Magistrate, Cuddapah and by the judgment of the Court dated 13-7-1964 the workman-accused was found guilty of the offence under Section 353 I.P.C. and was accordingly convicted. But the learned Magistrate exercised his powers under Section 562(1-A) Criminal Procedure Code and let off of the accused with admonition. It is further contended that under Section 10(1)(b)(1) of the Banking Regulation Act there is an absolute prohibition of employing or continuing employment of a person convicted by a Criminal Court of an offence involving moral turpitude. It is denied that the workman was sent to Nellore for training because of his satisfactory performance, character or conduct. It is alleged that the workman was sent there for training in the normal course. The further contention is that in view of the prior conviction of the appointee, the appointment itself was void or invalid. Thus in dismissing the workman the Res-

pondent-Management is said to have given affect to the provisions of the said Regulations. The further contention is that when the appointment itself was void no further action was called for by the Bank, but however the Bank has chosen to intimate the workman about his termination of employment. The initial appointment is said to be based on the declaration made by the workman, which appointment would not have been made but for the said declaration. The lenient punishment of admonition by the Criminal Court is said to be not a relevant factor. It is also denied that in a case like this any question of giving a reasonable opportunity or holding any enquiry arises. Since it is not disputed that the workman was convicted by the Criminal Court no question of violation of principles of natural justice would arise. It is also contended that the allegation that the offence under Section 353 I.P.C. does not involve moral turpitude is also incorrect. Assaulting one's own teacher in the College premises is said to be a wicked act which would shock the moral conscience of the Society. The further contention is that no student has a right or justification to assault his teacher even though he happens to be an office-bearer of the College Union. The act committed by the workman is said to not only shock the conscience of any reasonable man but would also bring down the reputation of the institution which encourages such students. The other contention is that the reference itself is illegal apart from being unjustified as it is a case of illegal appointment and contrary to the provisions of the Act, the matter cannot be gone into by the Tribunal. The question of any extenuating circumstances or the quantum of punishment does not at all arise. It is also contended that this is not a case where the Management has taken any action for misconduct committed in the course of employment so that the Tribunal could go into the question of punishment imposed. Thus the rejection of the reference is sought.

4. The parties have not let in any oral evidence. While the workman relied upon the copy of the dismissal order dated 9-1-1967 as per the Ex. W1, the Respondent-Management marked the certified copy of the judgment dated 13-7-1964 of the Judicial IInd Class Magistrate, Cuddapah in C. C. No. 201/64 as per Ex. M1. Both these documents were marked by consent.

5. A few facts which are not in dispute can be recapitulated here at the outset. The workman was appointed by an Order dt. 15-7-1966 and the probationary period was to expire at the end of six months therefrom. The Order terminating the services of the workman was passed on 9-1-1967 before the expiry of the probation period of six months. Admittedly the dismissal order was on account of conviction of the workman by a Criminal Court and not for any misconduct subsequent to the appointment of the workman in the service of the Bank or during the period of his service in the Bank. It is also not in dispute that a candidate seeking employment in the Bank has to file a declaration of fidelity and secrecy which declaration also contains a clause to the effect that he has not been convicted by a Criminal Court of an offence involving moral turpitude. The workman has also filed such a declaration. It is also not in dispute that before passing the dismissal order no notice was served upon the workman giving him any opportunity to the proposed dismissal.

6. I would advert to the question as to the requirement of notice to the workman preceding the dismissal order, at a later stage. It is not disputed that under the Judgment of the Criminal Court the Petitioner-workman was convicted of an offence of assault under Section 353 of the Penal Code. The workman was Assistant Secretary of the College Union and the workman-accused objected to the Assistant Lecturer in English of Cuddapah College residing out the marks obtained by him (Accused) in English, but as the Lecturer did not heed him, the Accused caught hold of the shirt and tie of the Lecturer while he was going to the Staff Room and threatened to beat after snatching the Attendance Register. He was charged sheeted for the offence under Sections 353, 379 and 341 of the Penal Code. Two witnesses were examined by the prosecution and on the basis of the evidence the Court found him guilty under Section 353 I.P.C. but released him after admonition under Section 562 (1-A) Cr. P.C. That it was the Accused who was convicted under that judgment is an admitted fact. The case of the Management is that under the Banking Regulations a person convicted of an offence involving moral turpitude was not to be either employed or continued in employment. The prohibition is

said to be contained in Regulation 10 of the Bank Regulations Act 1949 which reads as follows :—

"Prohibition of employment of managing agents and restrictions on certain forms of employment—(1)
No Banking company—

- (a) shall employ or be managed by managing agent, or
- (b) shall employ or continue the employment of any person—
- (i) who is, or at any time has been adjudicated insolvent, or has suspended payment or has compounded with his creditors, or who is, or has been, convicted by a Criminal Court of the offence involving moral turpitude, or
- (ii)

Thus while the contention of the management is that since the Workman was convicted of an offence involving moral turpitude, the contention on behalf of the workman is that appointment cannot be said to be contrary to this provision as the offence does not involve moral turpitude. The matter therefore revolves upon the question whether the offence as assault under Section 353 I.P.C. involves moral turpitude. It can incidentally be noted that the gravity of punishment is not a relevant consideration in determining whether the offence involves moral turpitude or not. It is held in *DURGA SINGH v. STATE OF PUNJAB* (1957 AIR, Punjab page 97) :

"The term 'moral turpitude' is rather vague one and it may have different meanings in different contexts. The terms has generally been taken to mean to be a conduct contrary to justice, honesty, modesty or good morals and contrary to what a man owes to a fellowman or to society in general. It has never been held that gravity of punishment is to be considered in determining whether the misconduct involves moral turpitude or not."

Placing reliance upon this ruling it was contended by the Management, the fact that the Criminal Court let off the Accused only with admonition in the light of the punishment of fine imposed upon the Accused by the College Principal, is itself not a decisive factor in determining whether the offence involves moral turpitude. The Criminal Court also held that a further punishment by way of sentence or so would also spoil the future career of the Accused. Be that whatsoever it may. In the light of the above ruling the severity of the punishment is not by itself a consideration to hold that the offence of assault does not involve moral turpitude. The tests whether a certain offence did or did not involve moral turpitude are laid in a ruling of the Punjab High Court reported in *RISHAI SINGH v. CHANDGI RAM* (1966 AIR page 393). They are as follows :—

- (1) Whether the act leading to a conviction was such as could shock the moral conscience of society in general,
- (2) Whether the motive which led to the act was a base one, and
- (3) Whether on account of the act having been committed the perpetrator could be considered to be of a depraved character or a person who was to be looked down upon by the society."

It is similarly held in *BALESHWAR SINGH v. DIST MAGISTRATE & COLLECTOR* (AIR 1959 Allahabad High Court, page 71) :

"The expression 'moral turpitude' is not defined anywhere. But it means anything done contrary to justice, honesty, modesty or good morals. It implies depravity and wickedness of character or disposition of the person charged with the particular conduct.
If therefore the individual charges with a certain

conduct owes a duty, either to another individual or to the society in general, to act in a specific manner, or not to so act and he still acts contrary to it and does so knowingly, his conduct must be held to be due to villainess and depravity. It will be contrary to accepted customary rule and duty between man and man."

In the light of the above test it is now to be seen whether the offence committed by the Accused involved moral turpitude. It was contended on behalf of the workman that the act of assault was committed on the spur of moment, without any premeditation and therefore the Accused cannot be said to be of depraved character. It was also contended that at best it is an unthoughtful act of an adolescent. The observations from the judgment of the Criminal Court were relied upon wherein it is noted :

"As an Assistant Secretary of the College Union, he should have set up matter standards of discipline and good conduct to be an example for the other students. Instead he has allowed his adolescence to prevail upon his conduct to behave in the manner he did."

It was on the other hand contended by the Management that the very first observations of the Criminal Court would disclose that as an offence-bearer of the College Union the Accused had the duty to maintain better standards of discipline either in relation to the teachers or to his fellow students. Beating a Lecturer is said to be conduct which would shock the moral conscience of the Society. It was also urged for the Management that merely because the accused happened to be an office bearer of the College Union he has no licence to beat the teaching staff members and thus lower the prestige of the Institution. It might be that having regard to the degenerating standards, if an office bearer of the Students Union assault his own teacher he may be given a warm welcome of a hero by a few students. I do not however think that even the Student community as a whole would appreciate or commend the act of such an office-bearer. At any rate the Society has not yet reached that standard where such act would be welcomed. The act of this student, irrespective of the fact of his occupying a position in the Students Union, can be said to shock the moral conscience of Society in general. That apart, it is also clear from the judgment of the Criminal Court that he was also a scholarship holder. He not only owed a duty to maintain better standards as an office bearer but owed a duty to the institution from which he was also drawing some scholarship. It is true that the act of assault was committed by the Accused-student without any pre-meditation and on the spur of the moment. The presumption always is that the person committing the act has also the knowledge of his consequences. Putting the second test of motive to the facts of this case, it might be said that the motive may not be clearly discernable, but can it not be said that the motive in assaulting the Lecturer was a base one, in the sense that the Accused intended to lower down the prestige of the Lecturer by his act. We are not now concerned here whether the Lecturer was unreasonably adamant in reading out the low marks obtained by the student. It might be that the Lecturer could have acted in tactful manner in omitting he reading he marks, but that is also altogether a different matter. But it cannot be said that the motive was not a base one. Since the act was on the spur of the moment and un-pre-meditated one no inherent criminal propensities can be inferred. It might be that the accused may not be considered to be a person of depraved character but he is certainly a person who is to be looked down upon by the Society. Applying the above three tests as laid down in the ruling of the Punjab High Court reported in 1966 page 393 I am constrained to hold that though the offence by itself is not a grave one like theft or murder still it is an offence involving moral turpitude. The Accused has certainly acted contrary to accepted customary rule and duty between a student and teacher and thus contrary to modesty and good morals. Thus I find little force in the contention of the workmen that the offence does not involve moral turpitude. I would however advert later to the fact that the conviction was of the year 1964 and the workman has come to be appointed in the year 1966, which means that the conviction was not a recent one or one immediately preceding the appointment.

7. The Banking Regulation 10 as extracted above certainly prohibits the employment of a person convicted of an offence of moral turpitude. This prohibition with regard to continuance of a person in the employment if the conviction is during the course of employment can be held to be more reasonable than giving effect to this prohibition after a person has been appointed and it was discovered that he has such a conviction to his credit. Suffice it to say that the employment of a person convicted of such an offence is prohibited under these Regulations.

8. The contention on behalf of the Workman was that he should have been given a reasonable opportunity before the Management passed this order of dismissal on the ground of his conviction. It is thus contended that the procedure laid down under the Desai's Award has been contravened. It is relevant to note that in Desai's Award at para 18.20 the procedure laid down by the Shastri Award in connection with disciplinary action at paras 520 and 521 of that Award has been accepted. At para 521 of Shastri Award it is laid down that the person against whom disciplinary action is proposed has to be served with a charge sheet and he should be given a proper opportunity to give his explanation and to produce his evidence and an opportunity of being heard even at the stage of imposition of punishment. But the contention of the Management is that the present action of dismissal is not on account of any misconduct or even by way of disciplinary action. The further contention is that in view of the fidelity and secrecy declaration given by the workman he was appointed but that appointment was found to be in contravention of the Banking Regulations, in view of the earlier conviction of the workman for an offence involving moral turpitude. It was contended by Mr. Narsimham the Counsel for the workman that if not under the provisions of the Desai's Award, the workman ought to have been given an opportunity to show that the offended does not involve moral turpitude according to the principles of natural justice. It was on the other hand contended by the Management that since the conviction of the person under the judgement of the Criminal Court is not a matter of dispute, in the sense that the identity of the person is not disputed, and the question is only of the interpretation of the offence whether it involved moral turpitude or not, the question of giving reasonable opportunity does not arise. It is thus contended that in view of the admission of the conviction for the offence, no question of giving reasonable opportunity arises. Reliance is placed upon a ruling of the Supreme Court reported in 1967(II) LLJ, page 739. That was a case of enquiry into a misconduct against a Bank Employee who admitted the misconduct alleged but appealed for sympathy. The scope of principles of natural justice in such cases was examined. On account of the examination of the Accused in the first instance in the domestic enquiry, the Labour Court held that the domestic enquiry was vitiated and refused approval. In Appeal the order of Labour Court was set aside on the ground and in view of the admission by the employee. On the basis of ruling it was contended that as the identity of the person convicted and the conviction itself is an admitted one, there is no scope for giving any opportunity to the workman. Since the point at dispute relates only to the question whether the offence involved moral turpitude or not and which question has to be decided having regard to the circumstances of the case and not by any explanation of the accused Respondent, there does not appear any scope for affording an opportunity at that stage. The order of dismissal cannot therefore be said to be vitiated for want of any reasonable opportunity or the order being violative of the principles of natural justice. It can be recalled that this order of dismissal was passed before the expiry of the probation period of six months. As per the condition of service, (Para 4 of the Order of appointment) the Bank can at any time during the probationary period of the employee terminate his services without assigning any reasons whatsoever with due notice or salary in lieu thereof. Since the dismissal is not for misconduct but on the discovery of an earlier conviction for an offence involving moral turpitude, which conviction is also an admitted one, the order cannot be said to be bad or illegal or violative of principles of natural justice.

9. I have already noted above that the reasonableness of the prohibition for continuing an employee if he is convicted of an offence while in employment can be said to be well founded. The prohibition or at any rate dismissal of a person against whom a previous conviction is discovered does not appear to have the same reasonableness about it. Particularly so when the conviction is not a recent one. It

may be recalled that even the object of punishment in criminal law has undergone a sea-change and the object is being oriented, with the intention of reforming the culprit before putting a stamp of hardened criminal upon him. In these hard days of unemployment the loss of job on account of a previous conviction and not a recent one is certainly distressing. I may however note that it is not the case of the Bank that it has proceeded against the workman for filing a false declaration but its case is that the appointment itself was bad and in contravention of Regulation 10. The dismissal was as early as 1967. I have also given thought to the consequence of reinstating the workman even on humanitarian grounds and in the light of the reformative aspect of criminal law. As much water has run down the bridge and a long period of seven years has elapsed by the time this reference has come to be made, any interference by way of reinstatement does not appear to be reasonable. The prohibition of employment of persons convicted may not be in conformity with the modern notions of rehabilitation of culprits who under stress and strain of the circumstances may commit un-premeditated and even technical offences. But that would be relieving the workman in the instant case against the prohibition contained in the Banking Regulation. It would also amount to substitution of altogether a new legislation and not merely a new contract of conditions of service between the employer and employee. Having regard particularly to the long lapse of time from the date of dismissal, which dismissal cannot be said to be had in law, I feel constrained not to interfere with the order of dismissal. Having regard to the totality of the circumstances, I hold that the action of the Management in dismissing the workman from service is justified.

Award passed accordingly.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 5th day of February, 1975.

T. NARSING RAO,
Industrial Tribunal.

Appendix of Evidence.

Witnesses examined
for Workman.

NIL

Documents exhibited
for Workman.

Ex.W1; Copy of the dismissal order dt. 9.1.67 issued by the Agent, State Bank of India Cuddapah to Sri K. Rama Krishna Reddy

Witnesses examined
for Management.

NIL

Documents exhibited
for Management.

Ex.M1 Judgment dt. 13.7.19-64 in calendar case No.201/64 on the file of the Judicial II Class Magistrate, Cuddapah in respect of Sri K. Rama Krishna Reddy.

T. NARSING RAO,
INDUSTRIAL TRIBUNAL.

[No. L-12025/40/72-LR(II)]

R. KUNJITHAPADAM, Under Secy.

आदेश

नई दिल्ली, 7 फरवरी, 1975

का० प्रा० 828.—यतः केन्द्रीय सरकार की राय है कि इससे उपबद्ध प्रमुखी में विनिविष्ट विषयों के बारे में मैसर्स टाटा आयरन एण्ड स्टील कम्पनी लिमिटेड की जामाबोधा कोलियरी, डाकघर जिलगोरा, जिला बनारस के प्रवन्धन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है ;

अतः, अथ, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 2) घनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स टाटा आयरन एंड स्टील कम्पनी लिमिटेड की जामादोबा कोलियरी, डाकघर जीलगोरा, जिला धनबाद के प्रबन्धसंलग्न का, 11 सितम्बर, 1974 से श्री शान्ता तूरी, निरापद दीप भार्जक की सेवा समाप्त करना न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुवीक्ष का हकदार है?

[संख्या एल०-2012/173/74-एल० आर०-2]]

New Delhi, the 7th February, 1975

ORDER

S.O. 826.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Jamadoba colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jealgora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section, 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, (No. 2), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jealgora, District Dhanbad, are justified in terminating the service of Shri Shanta Turi, Safety Lamp Cleaner, with effect from 11th September, 1974? If not, to what relief is the workman entitled?

[No. L-2012/173/74-LR II]

आदेश

का० आ० 827.—यतः केन्द्रीय सरकार की राय है कि इससे उपाखण्ड अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कोकिंग कोल लिमिटेड की बीरा कोलियरी, डाकघर मोरा, जिला धनबाद के ठेकेदार सिजुभा ट्रान्सपोर्ट कम्पनी के प्रबन्धसंलग्न के सम्बन्ध नियोजकों और उनके कर्मकारों के बीच औद्योगिक विवाद विद्यमान है,

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अथ, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण संख्या 2, घनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स भारत कोकिंग कोल लिमिटेड की बीरा कोलियरी, डाकघर मोरा, जिला, धनबाद के ठेकेदार मैसर्स सिजुभा ट्रान्सपोर्ट कम्पनी के प्रबन्ध-

संलग्न के लिए, सर्वश्री मोती तूरी, मुखेश पनेरी, राम प्रसाद मांजी, रूपलाल मांजी, बासदेव भुइया और सीताराम तूरी इनपरो का काम बन्द करना न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुवीक्ष के हकदार हैं?

[संख्या एल-2012/97/74-एल० आर०-2]

ORDER

S.O. 827.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Sijua Transport Company, Contractor, Bhowra Colliery, of Messrs Bharat Coking Coal Limited, Post Office Bhowra, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal No. 2, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Messrs Sijua Transport Company, Contractor, Bhowra Colliery of Messrs Bharat Coking Coal Limited, Post Office Bhowra, District Dhanbad are justified in stopping the work of Sarva Shri Moti Turi, Sukhdeo Paneri, Ram Prasad Majhi, Ruplal Majhi, Basdeo Bhuiya and Sita Ram Turi Dumpers? If not, to what relief are the concerned workmen entitled?

[No. L-2012/97/74-LR II]

आदेश

का० आ० 828.—यतः केन्द्रीय सरकार की राय है कि इससे उपाखण्ड अनुसूची में विनिर्दिष्ट विषयों के बारे में कोल माइन्स अथारिटी लिमिटेड, की बीर सिंहपुर कोयला खान, डाकघर बीरसिंहपुर, जिला, शहडोल के प्रबन्धसंलग्न से सम्बन्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अथ, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (i) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या कोल माइन्स अथारिटी लिमिटेड की बीरसिंहपुर कोयला खान के प्रबन्धसंलग्न के लिए श्री मुनिवाल कोलकटर को चिकित्सक अधिकारी की सिफारिश के अनुसार, अपने अधीन सनही कार्य न लेना न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुवीक्ष का हकदार है?

[संख्या एम-2012/9/74-एल० आर०-2]

ORDER

S.O. 828.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Birsinghpur Colliery of Coal Mines Authority Limited, Post Office Birsinghpur, District Shahdol, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under section 7 A of the said Act.

SCHEDULE

Is the management of Birsinghpur Colliery of Coal Mines Authority Limited justified in not providing Shri Munilal Coal Cutter, a Surface job under it as recommended by the Medical Officer? If not, to what relief is the workman entitled?

[No. I-22012/9/74-LR II]

आदेश

नई दिल्ली, तारीख 10 फरवरी, 1975

का० आ० 829.—अतः केन्द्रीय सरकार की राय है कि इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कोकिंग कोल लिमिटेड की भीरा कोलियारी, डाकघर भीरा, धनबाद के प्रबन्ध तत्त्व से संबद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स भारत कोकिंग कोल लिमिटेड की भीरा कोलियारी, डाकघर भीरा, जिला धनबाद के प्रबन्धतत्त्व की, (1) कालिया तुरी, (2) हीरामुनि पेमान, (3) पचकौरी राजवार (4) बन्धु राजक, (5) रतुली महातन, (6) रेसोना तुरी (7) नसिफ राजवार, (8) निनरारी तुरी (9) निमाला माझान, (10) मोती तुरी, (11) मोहम्मद सकार, (12) आदोनी महातन और (13) चारी कामिन को 8-10-1973 से काम करने से मना करने की कार्यवाही न्यायोचित है? यदि नहीं तो ये कर्मकार किस अनुसूची के हकदार हैं?

[संख्या एल० 2012/38/74-एल० आर०-2]

ORDER

New Delhi, the 10th February, 1975

S.O. 829.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bhowra Colliery of Messrs Bharat Coking Coal Limited, Post Office Bhowra, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

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And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, No. 2, Dhanbad, constituted under Section 7 A of the said Act.

SCHEDULE

Whether the Management of Bhowra Colliery of Messrs Bharat Coking Coal Limited, Post Office Bhowra, District Dhanbad, are justified in stopping from work (1) Kalia Turi, (2) Hiramuni Mejhan, (3) Pachkoria Rajwar, (4) Bondhu Rajak, (5) Ratuli Mahatan, (6) Resona Turi, (7) Natif Rajwar, (8) Netai Turi, (9) Simala Majhian, (10) Moti Turi, (11) Md. Sakar, (12) Adoni Mahatan and (13) Chari Kamin with effect from 8-10-1973? If not to what relief are these workmen entitled?

[No. I-2012/38/74-LR II]

आदेश

का० आ० 830.—यतः केन्द्रीय सरकार की राय है कि इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कोकिंग कोल लिमिटेड की कुसुंडा कोलियारी, डाकघर कुसुंडा, जिला धनबाद के प्रबन्ध तत्त्व से संबद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स भारत कोकिंग कोल लिमिटेड की कुसुंडा कोलियारी, डाकघर, कुसुंडा, जिला धनबाद के प्रबन्ध तत्त्व की, श्री बदरुद्दोजा हाजरी निषिक/बाजमेन, कुसुंडा कोलियारी, के नियोजन को 13 नवम्बर, 1971 से काम से रोकने की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुसूची का हकदार है?

[संख्या एल० 2012/107/74-एल० आर०-2]

ORDER

S.O. 830.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kusunda Colliery of Messrs Bharat Coking Coal Limited, Post Office, Kusunda, District Dhanbad, and their workman in respect of the matters specified in the Scheduled hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, No. 2, Dhanbad, constituted under section 7 A of the said Act.

SCHEDULE

आदेश

Whether the management of Kusunda Colliery of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad, were justified in stopping the employment of Shri Badruddoja, Attendance Clerk/Chargeman, Kusunda Colliery, with effect from the 13th November, 1971? If not to what relief is the workman entitled?

[No. L-2012/107/74-LR II]

आदेश

का० प्रा० 831.—यतः केन्द्रीय सरकार की राय है कि हमसे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में टाटा आयरन एण्ड स्टील कम्पनी की जामादोबा धावनी संयंत्र, डाकघर, जामादोबा, जिला धनबाद के प्रबन्ध तंत्र से संबद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है :

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है :

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

क्या टाटा आयरन एण्ड स्टील कम्पनी की जामादोबा धावनी संयंत्र, डाकघर जामादोबा जिला धनबाद के प्रबन्धतंत्र की, श्री लक्ष्मण तुरी, सामान्य मजदूर, को 9 अगस्त, 1974 से, सेवा से पदभ्युत करने की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है?

[संख्या एम० 2012/174/74-एल० आर०-2]

ORDER

S.O. 831.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Jamadoba Washery Plant of Tata Iron and Steel Company, Post Office, Jamadoba, District Dhanbad and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, No. 2, Dhanbad, constituted under Section 7A of the said Act.

SCHEDULE

Whether the management of Jamadeba Washery Plant of Tata Iron and Steel Company, Post Office, Jamadoba, District are justified in dismissing from service Shri Lachhu Turi, General Mazdoor with effect from 9th August, 1974? If not, to what relief is the workman entitled?

[No. L-2012/174/74-LR II]

नई दिल्ली, 11 फरवरी, 1975

का० प्रा० 832.—यतः केन्द्रीय सरकार की राय है कि हमसे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कोकिंग कोल लिमिटेड की मधुबन्ध कोलियरी, डाकघर नुबखुर्की (धनबाद) के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है :

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 1), धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

क्या मैसर्स भारत कोकिंग कोल लिमिटेड की मधुबन्ध कोलियरी डाकघर नुबखुर्की (धनबाद) के प्रबन्धतंत्र की, भारत कोकिंग कोल लिमिटेड द्वारा इस कोलियरी का प्रबन्ध ग्रहण कह लिए जाने के पश्चात् निम्नलिखित 36 कर्मचारियों को नियोजित न करने की कार्यवाही न्यायोचित है? यदि नहीं, तो ये कर्मकार किस अनुतोष के हकदार हैं और किस तारीख से ?

कमांक कर्मचारियों के नाम

1. आर० एन० दास
2. आर० एम० सरकार
3. सदन नन्दी
4. जनल सिंह
5. डी० पी० महतो
6. देवेन्द्र की
7. शक्तिपावो
8. गुलामपीर भन्सारी
9. अमतर भली
10. सुखू
11. भर्जुन महतो
12. वसन्त राम
13. छतर सिंह
14. जगुनन्त
15. मंगल महतो
16. कीर्ति राजवार
17. रामकिशुन संख्या 2
18. राम किशुन संख्या 1
19. जगल राजवार
20. भैरो
21. बी० के० चक्रवर्ती

22. महानन्द महतो
23. एनुल हक
24. लोफर राजवार
25. दौलत
26. मंशा कुमार
27. नील कमल राजवार
28. पशुपति राजक
29. श्री० गोप
30. दीप्ती प्रसाद
31. एस० एन० बनर्जी
32. सुदामा सिंह
33. कृष्ण दुबे
34. रहमान मिश्रा
35. प्यारे लाल
36. अग्नू महतो

16. Kirti Rajwar
17. Ram Kissun No. II
18. Ramkissun No. I
19. Jugal Rajwar
20. Bhairoo
21. B. K. Chakrabarti
22. Mahanand Mahato
23. Ainul Haque
24. Loffar Rajwar
25. Daulat
26. Mansha Kr.
27. Neel Kamal Rajwar
28. Pasupati Rajak
29. B. Gope
30. Depti Pd.
31. S. N. Banerjee
32. Sudama Singh
33. Krishna Dubey
34. Rahman Miya
35. Pyere Lall
36. Agnu Mahato

[संख्या एल० 2012/66/74-एल० आर०-2]

[No. L-2012/66/74-LR II]

ORDER

New Delhi, the 11th February, 1975

S.O. 832.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee (Dhanbad) and their workmen in respect of the matters specified in the Schedule here to annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) in section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, (No. 1), Dhanbad, constituted under Section 7A of the said Act.

SCHEDULE

Whether the action of the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee (Dhanbad) of not employing the following 36 workmen after the take over of the colliery by the Bharat Coking Coal Limited, is justified? If not, to what relief are the workmen entitled and from what date?

1. R. N. Dass
2. R. S. Sarkar
3. Madan Nandi
4. Jernail Singh
5. D. P. Mahto
6. Devendar Kri
7. Shaktipado
8. Gulampir Ansari
9. Aktor Ali
10. Sukhoo
11. Arjun Mahato
12. Basant Ram
13. Chatter Singh
14. Jadunandan
15. Mangal Mahato

आदेश

का० आ० 833.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विविदिष्ट विषयों के बारे में मैसर्स टाटा आयरन एण्ड स्टील कम्पनी लिमिटेड की जामादोबा कोलियरी, डाकघर जीलगोरा, जिला धनबाद के प्रबन्धतन्त्र में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना बांछनीय समझती है;

अतः, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद को न्यायनिर्णयन के लिए निर्दिष्ट करती है।

अनुसूची

क्या मैसर्स टाटा आयरन एण्ड स्टील कम्पनी लिमिटेड की जामादोबा कोलियरी, डाकघर जीलगोरा, जिला धनबाद के प्रबन्धतन्त्र की, श्री राधा सिंह मात्रा नृपातिक वर हैमर मैन की स्थायी नियुक्ति में धारणाधिकार को समाप्त करने और उसका 'बदली' सूची में रखने की, अपने पत्र संख्या जे० एम० ए० 104/2776/70, दिनांक 3/5-6-1970 द्वारा की गई कारवाई न्यायोचित थी? यदि नहीं, तो कर्मकार किस अनुतोष का और किस तारीख से हकदार है?

[संख्या एल० 20012/183, 74-एल० आर० 2]

ORDER

S.O. 833.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, No. 2, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jealgora, District Dhanbad, in terminating the lien of Shri Radha Singh, Piece Rated Hammerman in his permanent appointment and placing him in the 'Badli' list, vide their letter No. JMA/104/2776/70 dated 3/5-6-70 was justified? If not, to what relief is the workman entitled and from what date?

[No. L-20012/183/74-LR II.]

प्रदेश

नई दिल्ली, 12 फरवरी, 1975

का० प्रा० 834.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कोकिंग कोल लिमिटेड की जीलगोरा कोलियरी, डाकघर जीलगोरा (धनबाद) के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण संख्या 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

जब मैसर्स भारत कोकिंग कोल लिमिटेड की जीलगोरा कोलियरी, डाकघर जिलगोरा (धनबाद) के प्रबन्धतंत्र की, कोयला खनन उद्योग सम्बन्धी केन्द्रीय मजदूरी बोर्ड की सिफारिशों के अनुसार, सर्वश्री लोचन और दुर्गा को 1969 से और श्री जानेश्वर को 1974 से ड्रिलर के रूप में पदोन्नत न करने की और वर्ग 4 की मजदूरियों का भुगतान न करने की कार्यवाही न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष के हकदार हैं और किस तारीख से?

[संख्या एल० 2012/52/74-एल० प्रार-2]

एल० के० नारायणन,
अनुभाग अधिकारी (विशेष)

ORDER

New Delhi, the 12th February, 1975

S.O. 834.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Jealgora Colliery of Messrs Bharat Coking Coal Limited, Post Office Jealgora, (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to The Central Government Industrial Tribunal, No. 2, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Jealgora Colliery of Messrs Bharat Coking Coal Limited, Post Office Jealgora (Dhanbad) are justified in not promoting as Driller and paying wages of Category IV to Sarva Shri Laloo, Lochan, and Durga from 1969 and Shri Janeshwar from 1971, as per the recommendations of the Central Wage Board on Coal Mining Industry? If not, to what relief are the concerned workmen entitled and from what date?

[No. L-2012/52/74-LR II]

L. K. NARAYANAN, Section Officer, (Spl.)

नई दिल्ली, 1 मार्च, 1975

का० प्रा० 835.—यतः केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ठ) के उपखण्ड (6) के परन्तुक के उपबन्धों के अनुसरण में, एक अधिसूचना (भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० प्रा० 2530, दिनांक 18 सितम्बर, 1974) द्वारा सीसा खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 25 सितम्बर, 1974 से छः मास की कालावधि के लिए एक लोक उपयोगी सेवा घोषित किया था;

और यतः केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की कालावधि के लिए और बढ़ाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ठ) के उपखण्ड (6) के परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए, 25 मार्च, 1975 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस० 11025/8/74-एल० आर०-1(i) डी० के० ए० प्राई०]

New Delhi, the 1st March, 1975

S.O. 835.—Whereas the Central Government, being satisfied that the public interest so required, had declared by a notification made in pursuance of the provisions of the proviso, to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947) (being the notification of the Government of India in the Ministry of Labour, No. S. O. 2530 dated the 18th September, 1974) the lead mining industry to be a public utility service for the purposes of the said Act for a period of six months from the 25th September, 1974;

And whereas the Central Government is of opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 25th March, 1975.

[No. S-11025/8/74-LR. I(i)/DK(IA)]

का० प्रा० 836.—यतः केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (व) के उप-खण्ड (6) के परन्तुक के उपबन्धों के अनुसरण में एक अधिसूचना (भारत सरकार के धर्म मंत्रालय की अधिसूचना संख्या का० प्रा० 2529, दिनांक 18 सितम्बर, 1974) द्वारा जस्ता खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया था ;

और यतः केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छ. मास की और कालावधि के लिए बढ़ाना अपेक्षित है ;

यतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (व) के उप-खण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए, 25 मार्च, 1975 से छ. मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[संख्या एम० 11025/8/74-एल० प्रार० 1(ii)डी० के० (आई० ए०)]

एम० एस० सहस्रानामन, अध्वर सचिव

S.O. 836.—Whereas the Central Government, being satisfied that the public interest so required, had declared by a notification made in pursuance of the provisions of the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), (being the notification of the Government of India in the Ministry of Labour, No. S.O. 2529 dated the 18th September, 1974) the zinc mining industry to be a public utility service for the purposes of the said Act for a period of six months from the 25th September, 1974;

And whereas the Central Government is of opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 25th March, 1975.

[No. S-11025/8/74-LR I(ii)/DK(LA)]

S. S. SAHASRANAMAN, Under Secy.

आदेश

नई दिल्ली 15 फरवरी 1975

का० प्रा० 837.—यतः केन्द्रीय सरकार की राय है कि इससे उपाययुक्त अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स सेस गोवा (प्राइवेट) लिमिटेड, पंजिम के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित औद्योगिक अधिकरण (संख्या 2) मुम्बई को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

श्री मैसर्स सेस गोवा (प्राइवेट) लिमिटेड पंजिम के प्रबन्धतंत्र की, उनकी लौह अयस्क खानों में सर्वश्रेष्ठ श्री बी० बी० नायक की सेवाओं

की 2 जून, 1973 से समाप्त करने की कार्यवाई न्यायोचित है ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?

[संख्या एम०-26012/1/74-एल० प्रार०-4/डी-4(बी)]

भूपेन्द्र नाथ अनुभाग अधिकारी (विशेष)

ORDER

New Delhi, the 15th February, 1975

S.O. 837.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Sesa Goa (Private) Limited, Panjim, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government now considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, (No. 2) Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Messrs Sesa Goa (Private) Limited, Panjim in terminating the services of Shri B. V. Naik, Surveyor in their Iron Ore Mines, with effect from 2-6-73 is justified? If not, to what relief is the workman entitled?

[No. L-26012/1/74-LR IV/DIV(B)]

BHUPENDRA NATH, Section Officer (Spl.)

नई दिल्ली, 1 मार्च 1975

का० प्रा० 838.—कर्मकारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार सर्वश्री सैलजा शेखर तालुकदार, अमरनाथ समाजदार, प्रफुल्ल रतन बोस, निमाई चौधरी भट्टाचार्य, बिनय कृष्ण गुहा और पंचु गोपाल कुमार को उक्त अधिनियम और स्कीम और उसके अधीन विरचित कुटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के संबंध में या किसी रेल कम्पनी, महापतन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन के संबंध में या किसी ऐसे स्थापन के सम्बद्ध में जिसके एक से अधिक राज्य में विभाग या शाखाएं हों, सम्पूर्ण पश्चिमी बंगाल राज्य तथा प्रंजमान और निकोबार द्वीप समूह संघ राज्य-क्षेत्र के लिए निरीक्षक नियुक्त करती है ।

[सं० ए० 12016 (5)/74-पी० एफ० 1(i)]

New Delhi, the 1st March, 1975

S.O. 838.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government hereby appoints Sarvashri Sailaja Sekhar Talukdar, Amar Nath Samajdar, Prafulla Ratan Bose, Nimai Ch. Bhattacharjee, Benoy Krishna Guha and Panchu Gopal Kumar to be Inspectors for the whole of the State of West Bengal and the Union territory of the Andaman and Nicobar Islands for the purposes of the said Act, and the Scheme and the Family Pension Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment

connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A. 12016(5)/74-PF.I(i)]

का० प्रा० 839.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री वी० आर० शन्मुगम को उक्त अधिनियम और स्कीम और उसके अधीन विरचित कुटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के संबंध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन के संबंध में या किसी ऐसे स्थापन के संबंध में जिसके एक से अधिक राज्य में विभाग या शाखाएं हों, सम्पूर्ण तमिल नाडु राज्य और पांडिचेरी संघ राज्य क्षेत्र के लिए निरीक्षक नियुक्त करती है ?

[सं० ए० 12016(6)/74-पी० एफ० 1]

S.O. 839.—In exercise of the powers conferred by sub-section (1) of Section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government hereby appoints Shri V. R. Shanmugham to be an Inspector of the whole of the State of Tamil Nadu and Union territory of Pondicherry except Mahe and Yanam areas of the union territory of Pondicherry for the purposes of the said Act and the Scheme and the Family Pension Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A-12016(6)/74-PF.I]

का० प्रा० 840.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वास मंत्रालय की अधिसूचना सं० का० प्रा० 2123 तारीख 2 जून, 1970 को, अधिवान्त करते हुए केन्द्रीय सरकार श्री एन० वी० काछी को उक्त अधिनियम और स्कीम और उसके अधीन विरचित कुटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के संबंध में या किसी रेल कम्पनी, महापत्तन, खान या तेल-क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन के संबंध में या किसी ऐसे स्थापन के संबंध में जिसके एक से अधिक राज्य में विभाग या शाखाएं हैं, सम्पूर्ण गुजरात के लिए निरीक्षक नियुक्त करती है ।

[सं० ए० 12016(8)/74-पी० एफ० 1(i)]

S.O. 840.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2123 dated the 2nd June, 1970, the Central Government hereby appoints Shri N. V. Kachhy to be an Inspector for the whole of the State of Gujarat for the purposes of the said Act and the Scheme and the Family Pension Scheme framed thereunder in relation to any establishment belong-

ing to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A. 12016(8)/74-PF. I (i)]

का० प्रा० 841.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स रेडियंट डिस्ट्रीब्यूटर्स 55 कैनिंग स्ट्रीट कलकत्ता-1 (जिसके अन्तर्गत 13 केनाल स्ट्रीट कलकत्ता-14, स्थित उसका कारखाना भी है) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1974 की जुलाई के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एस०-35017(42)/74-पी० एफ० 2 (i)]

S.O. 841.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Radiant Distributors, 55, Canning Street, Calcutta-1 (including its factory at 13, Canal Street, Calcutta-14), have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of July, 1974.

[No. S. 35017(42)/74-PF. II (i)]

का० प्रा० 842.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए संबंध विषय में आवश्यक जांच करने के पश्चात् इकतीस जुलाई, 1974 से मेसर्स रेडियंट डिस्ट्रीब्यूटर्स 55 कैनिंग स्ट्रीट कलकत्ता-1 (जिसके अन्तर्गत 13 केनाल स्ट्रीट कलकत्ता-14 स्थित उसका कारखाना भी है) नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए त्रिनिडिट करती है ।

[सं० एस०-35017(42)/74-पी० एफ० 2(ii)]

S.O. 842.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the Thirty first day of July, 1974, the establishment known as Messrs Radiant Distributors, 55, Canning Street, Calcutta-1 (including its factory at 13, Canal Street, Calcutta-14) for the purposes of the said proviso.

[No. S. 35017(42)/74-PF. II (ii)]

का० प्रा० 843.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एल्वाय स्टील प्रोड्यूसर्स एसोसिएशन प्राफ इण्डिया, वोर्ली रोड सं० 13, वोर्ली, मुम्बई-18 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1973 के अगस्त के एकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(110)/74-पी०एफ० 2]

S.O. 843.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Alloy Steel Producers Association of India, Worli Road No. 13, Worli, Bombay-18, have agreed that the provisions of the Employees, Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of August, 1973.

[No. S. 35018(110)/74-PF. II]

का० प्रा० 844.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नटवरलाल एण्ड कम्पनी, 24/55-56, गोडाउन स्ट्रीट, मद्रास-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 की मई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(118)/73-पी०एफ० 2(i)]

S.O. 844.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Natvarlal and Company, 24/55-56, Godown Street, Madras-1, have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May 1973.

[No. S 35019/118/73-PF.II(i)]

का० प्रा० 845.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि, अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषयों में आवश्यक जांच के पश्चात्, मैसर्स नटवरलाल एण्ड कम्पनी 24/55-56, गोडाउन स्ट्रीट, मद्रास-1 नामक स्थापन को 1 मई 1973 से उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[सं० एस० 35019(118)/73-पी०एफ० 2 (ii)]

S.O. 845.—In exercise of the powers conferred by first proviso in section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the FIRST DAY OF MAY, 1973 the establishment known as Messrs Natvarlal and Company, 24/55-56, Godown Street, Madras-1, for the purposes of the said proviso.

[No. S. 35019/118/73-PF.II(ii)]

का० प्रा० 846.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नेशनल कैलेंडर कम्पनी, शिवाकासी, जिला रामनाद, जिनके अन्तर्गत 9/8, राममूर्थी, रोड विरुद्धनगर में स्थित उसका मुख्यालय भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1974 की अप्रैल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(184)/74-पी०एफ० 2]

S.O. 846.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs National Calendar Company, Sivakasi, District Ramnad, including its Head Office at 9/8, Ramamoorthy Road, Virudhunagar, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of the April, 1974.

[No. S. 35019(184)/74-PF.II]

का० प्रा० 847.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कृष्ण मीच इन्डस्ट्रीज, कलिकोलूर, विवलन-4 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1975 की जनवरी के एकसीमेंबे दिन को प्रवृत्त होगी।

[सं० एस० 35019(209)/74-पी०एफ० 2]

S.O. 847.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Krishna Match Industries, Kilikolloor, Quilon-4, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall come into force on the thirty first day of January, 1975.

[No. S. 35019(209)/74-PF.II]

का० प्रा० 848.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एवरपैक इन्डस्ट्रीज, 5/68, शंकर मठ रोड, बंगलूर-4 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के सितम्बर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(252)/74-पी०एफ० 2]

S.O. 848.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Everpack Industries, 5/68, Shankar Mutt Road, Bangalore-4, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1974.

[No. S. 35019(252)/74-PF.II]

का० प्रा० 849.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री साहला टाइम्स (प्राइवेट) लिमिटेड, 8 बां मील, कनकपुर रोड, बंगलूर-11 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 की जनवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(252)/74-पी०एफ० 2(i)]

S.O. 849.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shreesyla Timex (Private) Limited, 8th Mile, Kanakapura Road, Bangalore-11, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1974.

[No. S. 35019(252)/74-PF.II(i)]

का० प्रा० 850.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् मैसर्स श्री साहला टाइम्स (प्राइवेट) लिमिटेड, 8 बां मील, कनकपुर रोड, बंगलूर-11 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(252)/74-पी०एफ० 2(ii)]

S.O. 850.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of January, 1974 the establishment known as Messrs Shreesyla Timex (Private) Ltd., 8th Mile, Kanakapura Road, Bangalore-11 for the purposes of the said proviso.

[No. S. 35019(252)/74-PF. II (ii)]

का० प्रा० 851.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वूहलेन्ड्स पिक्चर हाऊस, कर्जन पार्क रोड, मैसूर-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 की जुलाई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(254)/74-पी०एफ० 2]

S.O. 851.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Woodlands Picture House, Curzon Park Road, Mysore-1, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July 1974.

[No. S. 35019(254)/74-PF. II]

का० प्रा० 852.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स सावन रेल्वे स्टाफ को-ऑपरेटिव कैंटीन लिमिटेड, आर-1541, गोल्डन रॉक, तिरुचिरापल्ली-4 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 की जुलाई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(256)/74-पी०एफ० 2]

S.O. 852.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Southern Railway Staff Co-operative Canteen Limited, R. 1641, Golden Rock, Tiruchirapalli-4 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1974.

[No. S. 35019(256)/74-PF. II]

का० प्रा० 853.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स फार ईस्ट एजेंसोज, के०ए० राव रोड, मंगलूर-575003 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के सितम्बर के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(257)/74-पी०एफ० 2]

150 GI/74-4

S.O. 853.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Far East Agencies, K. S. Rao Road, Mangalore-575003, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on thirtieth day of September, 1974.

[No. S. 35019(257)/74-PF. II]

का० प्रा० 854.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स जेनिथ स्टील रीड्स इन्डस्ट्रीज 15/डी इन्डस्ट्रीयल सबर्ब 11 स्टेज तुमकुर रोड यस्वन्थपुर बंगलूर-22 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के नवम्बर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(258)/74-पी०एफ० 2]

पमश चन्द्रा, अवर सचिव

S.O. 854.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Zenith Steel Reeds Industries, 15/D Industrial Suburb, II Stage, Tamkur Road, Yeswanthpur, Bangalore-22 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1974.

[No. S. 35019(258)/74-PF. II]

PARSAN CHANDRA, Under Secy.

New Delhi, the 3rd March, 1975

S.O. 855.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Commissioners, Calcutta and their workmen, which was received by the Central Government on the 28th February, 1975.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA

Reference No. 1 of 1974

PARTIES :

Employers in relation to the management of Calcutta Port
Commissioners, Calcutta.

AND

Their Workmen.

APPEARANCE :

On behalf of Management.—Shri S. M. Banerjee, Labour
Adviser and Industrial Relations Officer, along with Shri
S. P. Naha, Deputy Labour Adviser and Industrial Relations
Officer.On behalf of the Workmen.—Shri S. Kar, Jr. General Sec-
retary, National Union of Waterfront Workers, Calcutta.

STATE : West Bengal INDUSTRY : Port & Dock

AWARD

The Government of India in the Ministry of Labour by
Order No. L-32011/11/73-P&D dated 5th February, 1974,
referred the following dispute for adjudication to this Tribu-
nal :—

"Whether the demand of the workmen of Calcutta Port Commissioners under two dry docks of Calcutta Port for grant of a special allowance at the rate of Rs. 6 per workman per month of ten lascars of each of the two dry docks is justified? If so, to what relief are the workmen entitled?"

2. The dispute involved in the reference relates to the dry dock lascars who are employed in Kidderpore Dry dock and King George's Dry Dock (now known as Netaji Subhas Dock) which will hereinafter be referred to as KPD and NSD respectively. There are five dry docks in all of which three docks are situated at KPD and the remaining two are in NSD. On the whole there are 82 dry dock lascars of which 49 are in KPD and the balance 33 are in NSD. The dry docks are under the direct supervision and control of one Superintendent of Dry Docks, and the Director of Marine, Calcutta Port Commissioners is the departmental head of the Dry Docks. There are other sections too under his control. The lascars are appointed after a training under the Inland Water Transport Training for a period of four months and trade test is also taken before their recruitment.

3. These lascars attend to docking and undocking of vessels and handling the dry dock gears; Rigging and un-rigging of shore tackles wire and ropes on ships. Placing the side check lines accurately after proper measurement of the distance between the ship placed on the Block and shore side; Centering the ship placed on the Block after placing the Block properly. They are also required to operate Capstan and Caisson while the ship is taken in and out of the dry dock. They fit the iron Blocks keeping the equal distance from one to another on the bottom of the dry dock. Placement of supporting Block in case of loaded vessel are also done by the lascars of dry docks. Splicing is said to be the essential work of lascars. Two of the lascars were alleged to be employed as Poriwallas in the office of the Superintendent.

4. The Union on behalf of the lascars raised an industrial dispute as early as in October, 1972 that the splicemen attached to the Mechanical Engineer's Department are treated as skilled artisan and their pay scales are much higher than the pay scales of the lascars attached to the dry docks and that, therefore, the pay scales of the dry dock lascars required revision. It was contended by them that two of the lascars employed in each of the docks working as Poriwallas shall also be paid the same salary as according to them the pay of Poriwallas are higher than that of concerned lascars. Thirdly it was contended that the Capstan and Caisson are operated by the dry dock lascars but their pay

scales is much lower than that of C. C. P. O. Capstan, Caisson and Penstock Operators, though the nature of the work they perform was the same.

5. This dispute was discussed at a conference of the representatives of the workmen and the Director, Marine Department on 28th and 29th May, 1973 when the workmen threatened with a work to rule policy (See annexure A to the written statement of the workmen). Notice was given to the Director of Marine Department to give effect to their demand. They did not take any action in the matter. So, the union served a work to rule notice to the Chairman, Calcutta Port Commissioners on 7-5-1973 vide Annexure C to the written statement of the workmen. On the basis of this notice the alleged conference of workmen and the department was held on 28th and 29th May, 1973 as a result of which the Director of Marine Department agreed to submit his recommendations to the Administration to grant a special allowance at the rate of Rs. 6 per month to 10 lascars, each of the two dry docks which have been performing the work of splicing and that of Poriwallas and other special work. The workmen thereafter withdrew the work to rule notice. The Administration however did not take any further step in the matter in spite of repeated demands made by the workmen and finally on the basis of the communication made by the Labour Adviser and Industrial Relations Officer, Calcutta Port Commissioners, the dispute was referred to the Regional Labour Commissioner, Central. The parties were summoned before the Labour Commissioner for a conference to be held with effect from 3rd December, 1973. But the conciliation proved ineffective and as a result of which the matter was referred to the Government of India and the Government in its turn referred the dispute to this tribunal for disposal.

6. The background of the dispute between the dry dock lascars on one side and the Calcutta Port Commissioners on the other dated back as early as 1958 regarding the scale of pay which was to be paid to the workmen of dry dock. The original scale of the dry dock lascars was only Rs. 30—50. On account of the agitation among the Port workers in general throughout the country, the Government of India constituted a Committee by its Order dated 23rd August, 1958 to undertake the work of classification and categorisation of class III and class IV posts in the major ports like Bombay, Calcutta, Madras, Cochin, Kandla and Vizagapatnam and to fit the workers into one or the other of the scales of pay given in the Schedule attached to the Resolution. We are not concerned with the entire Schedule of that resolution, but it is sufficient to point out that after the Committee was constituted as Classification and Categorisation Committee, they went into the grievances of the Port workers of class III and class IV. The dry dock lascars are included in class IV. On the basis of the recommendations of the Committee the pay scales of the dry dock lascars was raised to the scale of (i) Rs. 30—40, and (ii) Rs. 40—50. It is relevant in this connection to point out that the Port authorities appointed one third of the lascars on the higher scale and all the rests on the lower scale. The workmen alleged that there had been discrimination in the allotment of two scales among the lascars doing the same work. Any way, the committee's report had been accepted by the Government and it came into force with effect from 1-7-1959. Later on the Government appointed a Wage Board by its Order dated 13th November, 1964. The Board dealt with the pay structure of the different personnel of the Port department. In paragraph 7.2.9. of the report it is stated that they considered the matter and decided that CCC scales should be taken as a guide and new pay scales should be evolved on the basis of the SPC equivalents thereof. However, the workers representative brought to the notice of the Board certain anomalies in the pay scales of CCC. A list of such cases were also submitted to the Board but the Board did not consider those anomalies as they had no time to do so. Similarly, the representations to the CC Committee had also been turned down for want of time. Any way, pay scales of the dry dock lascars was fixed by the Wage Board at Rs. 110—147. This report of the Wage Board came into force with effect from 1-1-1969. It is stated in paragraph 7.2.7 of the Wage Board report that pay scales for class IV and class III employees including cargo handling shore workers of the port authorities have been fixed. Amongst the class IV and class III there are technical and non-technical and supervisory categories of employees. The classification has been made as clerical and non-clerical in the case of class III employees. It is pointed out in paragraph 7.2.8 that labour members wanted the

Board to go into the nature of duties of each post before fixing the pay scales but these could not be done in view of the large number of categories as it would have involved a very long time to go into the duties and responsibilities of each of the posts. The CCC was required to go into the nature of duties of different posts before fixing the employees in appropriate scales, where labour represented on the committee so also the employers and the recommendations were mostly unanimous and as such that recommendation required consideration. Any way, they pointed out in the same paragraph that the employees were dissatisfied with some of the decisions of the committee with a result that several cases were referred for adjudication. It was accordingly that a reference was made to the Central Industrial Tribunal, Bombay. It is relevant in this connection to refer to the award of Mr. S. K. Sen in Reference Nos. 136, 137 and 140 of 1966 on the file of the Central Industrial Tribunal published in the Central Gazette on 14-10-67 which did not touch upon the present dispute between the workmen and the management. The failure of the union to highlight the contentions of the workmen either before the Bombay Tribunal or any other body earlier is not a circumstance to be found against them. So long as the report of the Central Wage Board was there until its expiry on 31-12-1973, it would not have been possible for the union to set up a claim for enhancement of salary. But long before the expiry of that report and as early as in October, 1972 the Union had taken up the matter as a living industrial dispute. They had been stating consistency that there had been an anomaly in the pay scale of Dry dock lascars compared to the higher scale of pay of personnel of the Engineering department doing the same type of work and that it required complete overhauling. This reference is the result of that long agitation. The labour representatives were also not satisfied with the decision of the Tribunal and they considered that there was some injustice done in respect of certain categories because according to them the terms of reference of the CCC and the Tribunal were limited.

7. When the matter was still in an agitational stage the Government formed an Anomaly Committee consisting of two members by its order dated 18-7-1973. The Committee were to go into the anomalies pointed out by the workmen of the Marine department. The committee has no filed any report so far. But, before the Committee filed their report, the lascars had started the agitation. In the meanwhile the Wage Board recommendations which was to be in force for a period of 5 years had expired on 31-12-1973. The Government by its order dated 11-12-1974 appointed another committee for revision of pay of the dock workers. The final report of that committee has also not been published. Any way, the dry dock lascars' contentions have not been gone into at any stage in the manner in which they claim a higher pay scale. It is sufficient for our purpose to say that their present contention is that they should get an allowance of Rs. 6 per month for 10 lascars of each of the two dry docks doing the work of splicing, Poriwallas and that of pulling Capstan and Caisson.

8. It is necessary to state as to the function of these lascars in relation to their work in the dry docks. The splicing work is done by the lascars. The wire ropes and coir ropes were twisted and tied to make a knot to enable it to be tied to the ship for the purpose of drawing it into the dock and pulling it out when it is to be taken out of the dock. This splicing involves some amount of technical skill. The spliceman attached to the Chief Engineer's department is given a scale of pay of Rs. 115-160 where as the scale of pay of a lascar doing the same work is getting only Rs. 110-147. Similarly the function of the operation of caissons by the lascars is alleged to be a work which involve some technical skill. Caissons are steel structure with ballast and trimming tanks used as gates at dry docks and locks. Dry docks are used by ships to attend to underwater repairs. After the ship has entered a flooded dry dock, the caisson is hauled in to the groove specially built for the caisson and scuttled by flooding the ballast trimming tanks. This isolates the dry dock from the basin and then pumps are started facing to dewater the dry dock. The caisson bears against the granite facing and does not permit the basic water to enter the dry dock. In short, it makes the dry dock water tight. On completion of repairs on ships in the dry dock, the dock is flooded through opening menat for this purpose and after the level inside the dry

dock and the basin is equalled, the caisson is floated out by pumping out the ballast trimming tanks and hauled out of the groove leaving the dry dock open to the basin. In Kidderpore dry docks, the caissons are much smaller in size and the flooding of the dry dock is done through openings in the caisson itself. Lascars standing on the dry dock side haul the caisson with the help of Capstans in and out of the groove while docking or undocking of ships or while the caisson is being floated from the lock for changing. Lock caisson and 3A and 4 and 5A caissons of dry docks are interchangeable. When a lock caisson requires replacement, floating of the caisson is done by the Chief Mechanical Engineer's staff and hauling out of the groove with the help of capstans is done by dry dock staff. After raising the caisson hauling to a suitable place and securing there is done by Dock master's staff.

9. Similarly, the Capstans are hydraulically operated mechanism with specific capacity to pull 10-tons, 7-tons, 2-1/2 tons, 1-1/2 tons as used at dry docks. The whole mechanism is bedded below the rotating part i. e. the barrel is fully covered with bed plate. Pressure is controlled by a valve and operated by lever. These capstans are used for (i) Hauling ship in and out of dry docks; (ii) Hauling caissons in and out of the grooves by leads taken from the caisson to the capstan through rollers or ballars; (iii) for centering ships while dry docking and (iv) for unshipping and shipping propeller and rudder of ships under repair in dry docks. In Kidderpore dry docks, these capstans are used for rigging breast shores on ships (operated by carpenters) and also for hoisting muck removed from dry bottom in baskets on to the dry dock side. Breast shores are wooden logs of 9 inch to 10 inch sections of varying length jammed in between the ships side and the dry dock alter to keep the ship in position after she has sued blocks. Rigging of these shores is done by a lead taken from one end of the shore lying on dry dock side capstan. When the capstan is operated the lead of rope pulls up the shore on the ships side and at the required place and height the shore is fastened and the rigging is shifted to a different place to repeat the process.

10. The pay scales of CCPO Capstan, Caisson and Penstock operators working under the Chief Engineer's Department are on higher pay scale of Rs. 150-225. The contention of the dry dock lascars is that they are also entitled to the same scale of pay as that of CCPO who are doing similar work in docking and undocking ships into dry dock. They have put forward a case of two lascars who are deputed as Poriwallas in the office. Poriwallas are getting the pay of Rs. 115-160. Dry dock lascars claim the same scale as that of Poriwallas in respect of those lascars who are deputed to work as Poriwallas in the office.

11. Sri Mathew, Superintendent, Dry dock was examined as a sole witness on behalf of the management and on the workers' side three witnesses were examined. They admitted that before they are appointed they are to undergo a training, the syllabus of which includes splicing work. Ext. 1, 1(a), and 1(b) constitute the syllabus for training of lascars to be appointed in the dock. The splicing is one of the items of training given to lascars during the period of 4 months' training. Workers witness nos. 1, 2 and 3 admitted that before they were appointed they were tested in splicing and Capstan and Caisson operation. The question is whether the lascars having had the benefit of training in splicing should be considered to have the duty and responsibility of conducting splicing work during the period of their work in the dry dock. The fact that the union representing the dry dock lascars did not represent their case in the form in which they now put forward before the earlier Tribunals or Committees did not in any way affect the claim for enhanced remuneration for doing work of a spliceman. It is in evidence that a spliceman of the Engineering department is given a higher salary of Rs. 115-160. The spliceman of that department is not to do the splicing work of the dry dock. It is true that the splicemen of the other department would be attending to a skilful job in splicing work in respect of cargo lifting for the purpose of export and import in the port area. There would be a standard specification for splicing of ropes in that department. But the dry dock lascars are not expected to work as spliceman as such as their duties and responsibilities have not been notified at any time by the Port Commissioners, splicing forming part of their such duty and responsibility. The ordinary dictionary meaning of a lascar is "Oriental (originally Indian) sailor or

camp follower". Definitely the word is of English original. He is expected to do the manual work as a military camp follower. They were recruited for some manual work involving no skill or technicality. The fact that the lascars had the training in splicing by itself is not a circumstance to hold that the duty as well as the responsibility of the lascar is to do the splicing work which require some technical knowledge. Evidently that work is being done departmentally by splicemen in the Engineering department getting a higher scale of pay. The fact that these lascars get a monthly remuneration of Rs. 600 to 700 on average a month is not a circumstance to hold that they will not be entitled to get additional remuneration for doing technical work which is definitely being done by expert splicemen. The skilled nature of work was witnessed by me during my local inspection. The work was thoroughly and satisfactorily done at the spot with the help of three lascars. The department had no complaint against this work. The department never thought to depute a spliceman of the Engineering department to do the splicing work during the dock operation in the dry dock. But they wanted the lascars to do the same work for which they are entitled to get a higher remuneration. At one stage in the discussion between the representatives of the labour and the department a recommendation was said to have been made to the Port Commissioners for payment of Rs. 6/- as allowance to the lascars. It is alleged that such a recommendation was sought to be made under threat, coercion and intimidation. But nothing of that sort was alleged in the written statement to the effect that a decision was taken by the Director, Marine Department as a result of threat and intimidation. In the absence of any allegation to that effect it is reasonable to hold that at one stage even the departmental head thought that the claim by the lascars to get Rs. 6/- monthly allowance was justified. But the payment of monthly allowance at the rate of Rs. 6/- per head for doing splicing work is restricted to three lascars who would be engaged in that work.

12. As regards the claim for pulling caisson and capstan or two workmen working in the office as peon no serious consideration is required to be made on the basis of their contentions that they are entitled to get enhanced remuneration. Pulling to take out the ship into the dock and pulling to take back the ship out of the dock is a mechanical work which requires no skill. The skilful part of the work was being done by the CCPO. The capstan are operated by CCPO; it was set in motion by them. On the other end

the capstan operation is made by the lascars holding the rope in their hands. There is neither high manual labour nor any skill involved in operating the capstan or caisson. The caisson is initially in the hands of the CCPO though it is being pulled out by the lascars. There is absolutely no skill involved in the work of operation of caisson or capstan and as such the lascars are not entitled to get any allowance in respect of that work.

13. Similarly, the work of the alleged Poriwalla also does not call for any special allowance. It is nowhere in the record to establish that the lascars deputed in the office are called as Poriwalla or that they are treated as such. They are expected to do the work allotted to them by the Superintendent of dry dock. When they are deputed to the office, they are naturally to work as a peon. The peons work requires no skill or any special knowledge. It is therefore futile to contend that a special allowance has to be given to the lascars who are deputed to work in the office. The lascars are therefore not entitled to any allowance for working in the office alleging to be Poriwallas.

14. The finding is therefore that three lascars each of the K.P. dry dock and N.S. dry dock are entitled to get Rs. 6/- per head as monthly allowance for doing splicing work within the dry docks. The three lascars will be chosen by the Superintendent of the Dry dock in turn from out of the existing lascars as and when splicing work is to be done. The three lascars will therefore get the allowance in turn for doing the splicing work. They are not entitled to get any extra allowance either for pulling, operating or working on capstan and caisson and also for their work in the office as peon.

15. In the result, the reference is answered by making an award in favour of Dry dock lascars allowing an allowance to the extent of Rs. 6/- each per month to three of each of the two dry docks i.e. K.P. dry dock and N.S. dry dock and in other respects the reference is rejected.

E. K. MOIDU, Presiding Officer.

Dated, Calcutta,

The 21st February, 1975.

[No. L-32011/11/73-P&D/CMT/DIV(A)]

NAND LAL, Section Officer (Spl.)